

The logo for the law firm MASLON, with the name in a serif font and a horizontal line underneath.

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December 12, 2019

Via E-filing and hand delivered

The Honorable John H. Guthmann
Ramsey County District Court
1470 Ramsey County Courthouse
15 Kellogg Boulevard West
St. Paul, MN 55102

Re: Ramsey County Court File No. 62-cv-19-4626

Dear Judge Guthmann:

Pursuant to Minn. R. Gen Prac. 115.04(d) and the Court's instruction received via email from the Court's clerk on December 12, 2019, Center for Biological Diversity, Fond du Lac Band of Lake Superior Chippewa, Friends of the Boundary Waters Wilderness, Minnesota Center for Environmental Advocacy, and WaterLegacy (collectively, "Relators") write to set forth the basis for two motions: 1) for an *in camera* review of certain Minnesota Pollution Control Agency ("MPCA") documents and 2) for an order prohibiting MPCA from separately and improperly retaining the jointly-retained forensic search as its attorney and other appropriate relief.¹

1. Relators' motion for *in camera* review of certain MPCA documents.

As reflected in Relators' letters of November 11, 2019 (**Ex. 1**) and November 27, 2019 (**Ex. 2**), Relators have long-standing concerns regarding claims of privilege made by the MPCA as to documents that lack indicia of attorney-client or attorney work product privilege. Relators also seek this Court's relief to prevent MPCA's use of the cloak of privilege to withhold of documents that provide the only record of events pertinent to Alleged Procedural Irregularities ("APIs") where other notes and records have been discarded or which may have served to conceal the fact that EPA made comments on the PolyMet water pollution permit, so the documents themselves are a part and parcel of Relators' APIs.

Relators have attempted to resolve differences with MPCA since the parties' telephone conference with the Court on December 6, 2019. However, MPCA's provision of a less drastic redaction of

¹ Relators attempted to resolve these issues in writing prior to bringing the motions. Minn. R. Gen. Prac. 115.10. Relators have requested a telephone conference before the Court regarding the motions. *Id.* at 115.04(d).

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Michael Schmidt's April 17, 2018 memorandum ("April 17 Memorandum") underscores the need for in camera review. In addition, MPCA's fourth amended privilege log and release of documents provided on December 10, 2019 continue to indicate that documents for which MPCA has claimed attorney privileges may in large part lack privilege. Relators request the Court to order MPCA to produce the April 17 Memorandum for in camera review. Relators also ask this Court to order MPCA to produce for *in camera* review the 41 highlighted documents that remain on the attached MPCA privilege log spreadsheet (**Ex. 3**).²

a. MPCA Should Produce Mr. Schmidt's April 17, 2018 Memorandum for the Court's In Camera Review.

On December 10, 2019, MPCA produced a new redacted version of the April 17 Memorandum, which has completely redacted notes for 22 meetings that range from August 11, 2016 through March 12, 2018, as well as the notes disclosed for April 5, 2018 which were previously disclosed. (**Ex. 4**). The notes likely provide contemporaneous factual information as to what transpired in these meetings. In fact, the April 17 Memorandum includes notes for March 5, 2018, when MPCA planned to meet with Commissioner John Linc Stine after the staff call with EPA and March 12, 2018, when MPCA staff spoke with EPA over the phone. There are no MPCA records of either the briefing with Commissioner Stine or the EPA call with MPCA on March 12. Mr. Schmidt's notes are likely the only MPCA record of these critical meetings, as well as others for which there are few, if any contemporaneous records.

Relators have substantial need and justification for production of the April 17 Memorandum, and undue hardship would result without production, since equivalent materials are not otherwise available. *State ex rel. Humphrey v. Phillip Morris*, 606 N.W.2d 676, 690 (Minn. App. 2000). In addition, "work product" documents that contain only objective information do not warrant protection. *Id.* at 691. Relators respectfully request the Court conduct an *in camera* review of the April 17 Memorandum and require MPCA to release the factual content reflected in this critical document.

b. MPCA Should Produce Permitting Documents from the Year 2018 for the Court's In Camera Review.

Relators appreciate MPCA's continuing updates of its privilege log and the release of 19 documents listed in Relators' Exhibit B to our November 27, 2019 letter. However, the new information simply raises more questions about these documents.

MPCA's release of 19 documents calls into question the reasonableness of the attorney-client and attorney work product privileges claimed in the first place. Seven of the documents were duplicates within this small set, 10 were cover emails or forwards of documents sent *by* Relators that provided

² Relators believe it is likely that the 41 documents contain duplicates that would reduce the number of documents for the Court's *in camera* review.

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no basis at all for any claim of privilege,³ and one pertained to an unrelated feedlot case (MPCA_20646).

In this context, MPCA's withholding in full of 25 spreadsheets and memoranda, along with six emails and attachments from the late spring and summer of 2018, is questionable.⁴ MPCA alleges that many of these documents were created by staff "at request of counsel" or communicate with counsel, among others copied. It is likely that many documents are draft spreadsheets and memos responding to comments in order to overlap EPA's concerns while concealing that EPA had provided comments. In fact, an email received under the Data Practices Act suggests that draft comment spreadsheets were placed by MPCA in a "non-public" folder. (Ex. 5). The highlighted documents from this period would be highly material to Relators' APIs which assert that MPCA's responses to comments concealed that EPA had criticized the draft PolyMet water pollution permit. To the extent counsel were contacted at some point as documents were prepared, if attorneys play a role in furtherance of concealment, documents may be unprotected by attorney privileges. *Phillip Morris*, 606 N.W.2d at 682-83, 691.

Two other documents from the summer of 2018 require *in camera* review to determine whether they are the sole documentation of other important events material to Relators' APIs. Communications from Jeff Udd sent to Shannon Lotthammer as well as Mr. Schmidt may contain information on important conversations between Mr. Udd and Kevin Pierard or other events that occurred in late May and early June of 2018.⁵ Relators have become aware of such conversations and events through documents obtained from EPA under FOIA.

MPCA's newly redacted version of the April 17 Memorandum shows that Mr. Schmidt maintained notes of factual occurrences. MPCA's updated log identifies various documents written by Mr. Schmidt that may contain factual information similar to the April 17 Memorandum. For example, Mr. Schmidt authored a document shortly before the permit issued on December 11, 2018 that was shared between Mr. Udd and Ms. Lotthammer at the time.⁶ *In camera* review is needed to determine whether these documents provide a unique factual record or pertain to the concealment that is central to this transfer matter.

Relators have made extraordinary efforts to fill in gaps of information for the PolyMet permitting process, but MPCA continues to withhold critical information. The Court of Appeals transferred this matter for this Court to hear and determine alleged procedural irregularities not shown in the administrative record. This Court has ruled that the purpose of this proceeding is "full disclosure of the relevant information." (Rule 16 Hr'g Tr. 56:15-17, Aug. 7, 2019). The Court explained that, "[t]he concern here isn't with what was made public. It's what wasn't made public." (*Id.* at 56:23-24).

³ MPCA Documents 20519, 20597, 20601, 20572, 20573, 20575, 20607, 20646, 20651, 20655.

⁴ See MPCA Documents 308, 949-973, 1166, 1169-1172 on Ex. 3.

⁵ MPCA Documents 1117 and 1118 on Ex.3.

⁶ MPCA Documents 1162, 1163 and 1166 on Ex. 3.

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Relators have substantial need and justification for production of the April 17 Memorandum and the documents highlighted on the Ex. 3 spreadsheet, and undue hardship would result without production, since equivalent materials are not otherwise available. *Phillip Morris*, 606 N.W.2d at 690. MPCA should not be permitted to shield pertinent information from public and judicial scrutiny under the guise of attorney privileges. After all, “[t]he real client in this case is not [MPCA] but rather the public.” *Channel 10, Inc. v. Indep. Sch. Dist. No. 709, St. Louis Cnty.*, 298 N.W.3d 814, 826 (Minn. 1974). Relators’ claims in this matter focus on concealment of EPA’s comments and concerns. Participation of attorneys in such concealment does not create a valid privilege. *Phillip Morris*, 606 N.W.2d at 691.

Accordingly, Relators respectfully request the Court order MPCA to produce the April 17 Memorandum and the other 41 documents for the Court’s in camera review and, upon such review, to order MPCA to produce to Relators any documents that in whole or in part are not protected by attorney privileges.

2. Relators’ motion for orders regarding MPCA’s separate retention of the neutral forensic search expert and forensic search terms.

Relators move this Court for a written order prohibiting MPCA from hiring the jointly-retained forensic search expert – XACT Data Recovery (“XACT”) – to be its attorney for purposes of reviewing documents retrieved by XACT’s court-ordered forensic search. Relators further request this Court to order MPCA and Relators to instruct XACT to complete a forensic search of the relevant computers and servers on or before December 16, 2019 with the search terms in **Exhibit 6**.⁷

a. Background

During the November 13, 2019 Conference, the Court ordered a forensic search of MPCA’s “desktops/laptop hard drives and all servers that stored information generated by John Linc Stine, Shannon Lotthammer, and Ann Foss.” (Am. Order Setting Evid. Hr’g (“Am. Order”) ¶ 10(a)-(b) (Nov. 19, 2019)). The Court ordered Relators and MPCA would “jointly retain[]” a forensic expert. (*Id.* ¶ 10(d)). The Court also ordered Relators and MPCA to confer on search terms to apply to any documents the forensic search recovered. (*Id.* ¶ 10(d)).

Following the Conference, Relators received four recommendations for potential firms, including XACT. At a meet-and-confer, MPCA’s counsel also suggested XACT among the vendors it found acceptable. Thus, MPCA and Relators agreed to retain XACT. On November 27, 2019, MPCA signed XACT’s Services Agreement & Statement of Work (the “Contract”) (**Ex. 7**). The Contract was a joint retainer for XACT to “provid[e] digital forensics and related services.” (*Id.* at 1). XACT agreed to “perform services that are jointly authorized by both” MPCA and Relators. (*Id.*) The Contract also provided for avoiding conflicts of interest in the event that XACT’s services were

⁷ Pursuant to the Court’s order received from the Court’s clerk, this exhibit illustrates agreed upon search term, along with what is still in dispute.

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related to a legal Proceeding. (*Id.* at 2). Specifically, if XACT represented an adverse party in a legal Proceeding, XACT must allow the parties to “discuss whether XACT is capable of providing Services . . . for that Proceeding notwithstanding the adverse representation.” (*Id.*)

During the same time period, MPCA and Relators exchanged proposed forensic search terms. Relators proposed broad terms designed to find what the Court ordered: “documents [that] may have been erased, even inadvertently, that are responsive to the issues in this case.” (Pre-Hr’g Conference Tr. 107:1-3 (Nov. 13, 2019)). MPCA proposed narrower terms and limited all terms to an express descriptor for PolyMet. At the December 6, 2019 Informal Conference, MPCA supported its claim that Relators search terms were too broad using information it gained from unilateral conversations with XACT. Specifically, Counsel for MPCA represented that XACT had run hypothetical search terms against the collected documents, that Relators’ proposed search terms yielded a certain number of documents, and that only a certain percentage of those documents were responsive. Relators were not previously aware of these communications.

The morning of December 9, 2019, Relators e-mailed MPCA regarding the search terms. Around 4:00 pm the same day, MPCA’s counsel called Evan Nelson, counsel for Center for Biological Diversity, Friends of the Boundary Waters Wilderness, and Minnesota Center for Environmental Advocacy. During that call, the parties agreed to exchange forensic search term lists. During the same call, MPCA informed Mr. Nelson that it retained XACT as contract attorneys. MPCA also admitted that it used information from XACT against Relators at the December 6, 2019 Informal Conference.⁸ Mr. Nelson immediately raised the concern that this created a conflict of interest. While the possibility of establishing an ethical wall between XACT’s attorneys and its forensic search technicians was discussed, Mr. Nelson sent an email to MPCA’s counsel following the call, stating in relevant part:

Regarding the issue of MPCA[’s] separate and additional retention of XACT as contract attorney for document review of documents retrieved by these search terms, which I learned about during our phone conversation, I am conferring with my co-counsel. At the very least, this development raises a concern as to XACT’s conflict of interest as a jointly-retained expert on the one hand and MPCA’s attorney on the other.

(**Ex. 8.**) On December 10, 2019, Relators sent MPCA two communications. In the first, Relators provided another proposal for search terms. (**Ex. 9.**)⁹ In the second, Relators demanded MPCA cease using XACT as contract attorneys. (**Ex. 10.**) MPCA, however, has refused to cease their

⁸ Counsel for MPCA has since claimed that they previously disclosed their plan to retain XACT as its attorney to Relators by highlighting language from this Court’s Amended Order Setting Evidentiary Hearing that directed the parties to agree on “a procedure to identify and protect privileged documents.” (Am. Order ¶ 10(f).) MPCA cannot credibly claim that this language disclosed its intent to retain XACT as contract attorneys.

⁹ This email attached a spreadsheet, in which MPCA and Relators tracked their proposals. Relators’ proposed terms from this email is recreated as Exhibit 6.

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attorney-client relationship. (**Ex. 11.**) Relators do not know what services XACT has provided to MPCA to date (beyond preparation for the December 6, 2019 Informal Conference).

XACT's forensic search is not completed, because the parties have not agreed on search terms to apply to the recovered documents. Relators now seek a court order regarding both the conflict of interest created by MPCA's actions and forensic-search terms.

b. MPCA's retention of XACT attorneys improperly creates a conflict of interest which can only be remedied by prohibiting such a retention.

MPCA's retention of XACT contract attorneys created an improper conflict of interest, as XACT cannot both provide neutral services to the parties as a forensic expert and adverse representation for the documents retrieved in the same search. This conflict cannot be resolved absent a Court order. *See Ladwig v. Chatters*, 623 N.W.2d 266, 268 (Minn. App. 2001) (court has inherent authority and power to enforce its own orders).

First, under the Contract's plain terms, MPCA and Relators are adverse to each other in litigation. Thus, XACT's representation of MPCA that is separate from, in addition to, or parallel to XACT's joint representation is adverse to Relators. Yet, in violation of the Contract, no discussion prior to MPCA's retention of XACT occurred between MPCA and Relators regarding whether XACT could provide both joint expert representation and legal representation that is adverse Relators, all of which ultimately concerns the same issue of documents recovered by the forensic search.

Second, it is not possible for XACT to perform both roles. On one hand, XACT is being retained to collect documents from MPCA as a neutral expert. On the other hand, XACT will review those same documents for purposes of withholding documents on the basis of relevancy, responsiveness, or privilege objections. Said another way, XACT must broadly retrieve documents for Relators benefit and then restrict those same documents from Relators. This is a clear conflict of interest.¹⁰

Finally, MPCA has already blurred the line between XACT's role as a neutral expert for collection purposes and MPCA's counsel for withholding purposes such that an ethical wall will not resolve the conflict of interest. Specifically, at the December 6, 2019 Informal Conference, counsel for MPCA represented that XACT had run hypothetical search terms against the collected documents. Counsel for MPCA represented that Relators' proposed search terms yielded a certain number of documents, and further represented that only a certain percentage of those documents were responsive. This information was used by MPCA to argue that certain search terms were too broad. This means XACT was asked to provide a service to MPCA – running hypothetical search terms and reviewing documents for relevancy – that was adverse to Relators. If this was done pursuant to MPCA's and Relators' joint-retention, it was a breach of XACT's contractual promises to only perform services authorized by *both* MPCA and Relators. If this was done pursuant to XACT's

¹⁰ Indeed, if Relators hired XACT to run searches of the retrieved documents prior to finalizing the search term list and then Relators advocated to the Court regarding the success of certain terms, MPCA would similarly argue Relators had an unfair advantage in their advocacy for appropriate search terms.

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representation of MPCA, XACT used its unique access to data that it held for the benefit of both parties to provide legal advice adverse to Relators.

MPCA's retention of XACT contract attorneys and all unilateral conversations with XACT for services are improper and violate the Court's order for the parties to jointly retain an expert for the forensic search. While MPCA is free to retain attorneys, there is no compelling reason for MPCA to retain the same company that Relators and MPCA jointly retained to conduct the forensic search. MPCA's separate retention of XACT to be its attorney has damaged the neutrality of the expert, which is contrary to the Court's order. To enforce that order, and to ensure the neutrality of XACT, Relators respectfully request that the Court order the following:

- (1) MPCA must disclose the date and content of all previous communications with XACT;
- (2) MPCA may not retain XACT for any purpose other than the jointly-retained representation for the forensic search; and
- (3) MPCA may not communicate with XACT other than in writing copied to Relators or in a conference call in which Relators participate.

c. The Court should order that Relators' proposed forensic search terms be used.

Relators also ask the Court to order XACT to complete the forensic search using the terms in **Exhibit 6**. Relators have worked in good faith to narrow the search terms in compliance with this Court's guidance. Conversely, MPCA has worked unilaterally with XACT in an effort to narrow the search terms. MPCA represented to the Court that XACT ran proposed search terms to determine how many responsive documents were gathered. The only way to determine responsiveness is for an attorney to examine the document and come to a legal conclusion. Thus, XACT made legal decisions regarding the searches, evaluating the effectiveness of the search terms when Relators were not present. With this knowledge, MPCA continued to propose more restrictive search terms and Relators are left with the serious concern that MPCA, through XACT, is using its access to the retrieved data prior to the completion of the forensic search to advocate for search terms that will recover fewer documents. Allowing such conduct is detrimental to Relators and violates this Court's order to design the search to find "documents [that] may have been erased, even inadvertently, that are responsive to the issues in this case." (Pre-Hr'g Conference Tr. 107:1-3).

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Respectfully submitted,

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Enclosures

cc: Counsel of Record (via Odyssey)

EXHIBIT 1

The logo for MASLON, consisting of the word "MASLON" in a serif font with a horizontal line underneath.

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November 11, 2019

Via E-filing and hand delivery

The Honorable John H. Guthmann
Ramsey County District Court
1470 Ramsey County Courthouse
15 Kellogg Boulevard West
St. Paul, MN 55102

Re: *In the Matter of ... Proposed Northmet Project St. Louis County Hoyt Lakes and Babbitt Minnesota, Ramsey County Court File No. 62-cv-19-4626*

Dear Judge Guthmann:

Pursuant to Minn. R. Gen. Prac. 115.04(d), Relators request the Court order MPCA produce the following: (1) two documents Michael Schmidt created on the ground that Relators are substantially justified and hardship would result if the documents are withheld; (2) documents MPCA withheld on attorney-client privilege and/or attorney work product grounds where the documents lack the indicia of privilege or were provided to third parties.¹ In addition, Relators request the Court require a forensic search for Assistant Commissioner Shannon Lotthammer, Commissioner John Linc Stine, and Mining Sector Director Ann Foss's electronic documents during the PolyMet NPDES permitting process.

Relators conferred with MPCA counsel and resolved a number of discovery issues.² The documents Relators request are needed for "full disclosure of the relevant information" to determine alleged procedural irregularities. (Rule 16 Hr'g ("Hr'g") Tr. 56:15-17, Aug. 7, 2019). As the Court explained, "[t]he concern here isn't with what was made public. It's what wasn't made public." (*Id.* at 56:23-24).

¹ The parties continue to discuss these privilege claims. (*See Ex. A*). Relators provided MPCA with a spreadsheet identifying challenges to claimed privilege in MPCA's privilege log. These issues are briefly summarized, since the parties may yet need the Court's direction to compel production of documents.

² Relators' and MPCA counsel conferred pursuant to Minn. R. Gen. Prac. 115.10, on November 11, 2019 and resolved several questions as reflected in Relators' November 11, 2019 letter to MPCA Counsel. (*See Ex. A*).

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1. Relators have substantial need and justification for production of two 2018 documents withheld by MPCA.

Relators have substantial need and justification for production of two 2018 documents MPCA seeks to withhold under attorney-client and attorney-work-product privilege, and undue hardship would result without production, since equivalent materials are not otherwise available. Minn. R. Civ. P. 26.02(d); *State ex rel. Humphrey v. Phillip Morris*, 606 N.W.2d 676 (Minn. App. 2000). Mr. Schmidt wrote MPCA privilege log Doc. No. 301 on April 17, 2018 to memorialize the April 5, 2018 call when EPA comments were read to MPCA. It is undisputed that both Mr. Schmidt and Stephanie Handeland discarded their handwritten notes from the April 5, 2018 call with EPA, and that if Richard Clark took any such notes, he no longer has them.³ MPCA claims that there was nothing new in the comments EPA read,⁴ but there are no documents other than Mr. Schmidt's withheld summary that memorializes what MPCA heard and understood when EPA's comments on the draft PolyMet NPDES permit were read to MPCA on the phone April 5, 2018.

Mr. Schmidt wrote Doc. No. 302 on September 27, 2018, which appears to memorialize the September 25-26, 2018 meetings with EPA, the content of which is disputed. Although handwritten notes from Ms. Handeland reflect that EPA remained concerned about the lack of water quality-based effluent limits ("WQBELs") after the September 2018 meetings,⁵ Jeff Udd categorically denied that EPA had concerns about WQBELs after September 26, 2018.⁶ Mr. Schmidt's April and September 2018 contemporaneous written summaries are needed to determine alleged procedural irregularities, and Relators would suffer hardship were they not produced.

2. Relators request a forensic search of MPCA electronic files.

Relators specifically sought information that had been electronically stored "at any time" and regardless of whether the information had been "erased." (Relators Req. Produc. Docs. MPCA ¶ H, Aug. 21, 2019 (Ex. E)). Such production is permitted under Minn. R. Civ. P. 34.01(1)(A). *Id.* (allowing production of "any designated documents or electronically stored information [which can be obtained] *through detection devices* into reasonably usable form" (emphasis added)).

MPCA has since testified that some of this information was deleted, or that MPCA no longer "possesses" it. Documents produced or identified for former Assistant Commissioner Shannon Lotthammer, Commissioner John Linc Stine, and Mining Sector Director Ann Foss from July 11, 2016 through December 20, 2018 are incomplete. Ms. Lotthammer "regularly managed [her]

³ Declaration of Michael Schmidt ("Schmidt Decl.") ¶¶ 19-21, June 12, 2019 (RELATORS _0063880); Stephanie Handeland Dep. Tr. 15:6-8, 13-21 (Ex. B); Richard Clark Dep. Tr. 15:12-19 (Ex. C).

⁴ *See, e.g.*, Schmidt Decl. ¶ 10; Declaration of Jeff Udd ("Udd Decl") ¶ 10, June 12, 2019 (RELATORS _0063895).

⁵ *See, e.g.*, RELATORS _0062786-93.

⁶ Jeff Udd Dep. Tr. 13:13-14:10 (Ex. D).

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emails and [the March 13, 2018 email to EPA] was deleted.”⁷ MPCA has produced few documents involving Ms. Lotthammer prior to 2019 and even fewer involving Mr. Stine. Files from EPA under the Freedom of Information Act include documents still missing from MPCA’s production for both Ms. Lotthammer and Mr. Stine.⁸ MPCA has also stated it has not retained any responsive documents prepared or kept by Ms. Foss.⁹ Such documents must be retained under Chapters 13 and 15, of the Minnesota Statutes and when litigation is anticipated.

MPCA has the capacity to store information on and retrieve information from servers. MPCA has not done such a search, and therefore has not complied with Relators’ request to search for electronically stored information, including information deleted by any individual user. It is a “well accepted proposition that deleted computer files, whether they be e-mails or otherwise, are discoverable.” *Antioch Co. v. Scrapbook Borders, Inc.*, 210 F.R.D. 645, 652 (D. Minn. 2002) (granting motion to compel production of “computer equipment for purposes of investigation, copying, imaging, and interrogation, by a Court-appointed computer forensics expert”); *see also Deluxe Fin. Servs., LLC v. Shaw*, No. 16-CV-3065, 2017 WL 10505352, at *1 (D. Minn. Feb. 9, 2017) (granting motion to compel forensic inspection of work computer for files that may have been accessed and/or deleted despite earlier search conducted by company).¹⁰ The Court should order MPCA to perform a thorough search of not only of computers used by Ms. Lotthammer, Mr. Stine, and Ms. Foss from July 2016 through December 2018 but also of MPCA servers.

3. Claims of privilege under discussion with MPCA

MPCA has claimed attorney work product and attorney-client privilege for documents neither shown to be written nor received by counsel, documents shared with third parties EPA and PolyMet, MPCA staff communications merely copying Mr. Schmidt, and documents including Mr. Schmidt when he was no longer employed by MPCA and was the only attorney on the document. These documents are not subject to privilege. *Kobluk v. Univ. of Minnesota*, 574 N.W.2d 436, 441 (Minn. 1998). Relators’ counsel and counsel for MPCA have negotiated in good faith thus far, and Relators expect to continue discussions on documents that Relators have identified that lack the indicia for attorney work product or attorney-client privilege. Relators do not waive their objections to MPCA discovery deficiencies and will be prepared at the November 13, 2019 conference to support our request for an order compelling production if the parties are still unable to resolve their differences.

Based on the foregoing, Relators ask the Court to order that MPCA produce Mr. Schmidt’s April 17, 2018 and September 27, 2018 summaries and documents not properly covered by privilege, and require that MPCA search its servers and individual computers for PolyMet NPDES permit documents involving Ms. Lotthammer, Mr. Stine and Ms. Foss from July 2016 through December 2018.

⁷ MPCA Dep. Tr. 11:9-11 (Ex. E).

⁸ RELATORS_0064191-203.

⁹ MPCA Dep. at 19:23-20:3.

¹⁰ A courtesy copy of this case is attached as Exhibit F.

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EXHIBIT 1

Respectfully Submitted,

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cc: Counsel of record (via Odyssey)

EXHIBIT 1

The logo for MASLON, featuring the word "MASLON" in a serif font with a horizontal line underneath.

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November 11, 2019

Via Email

John Martin
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**Re: November 11, 2019 Meet and Confer, *In re Proposed Northmet Project*
Court File No. 62-cv-19-4626**

Counsel:

Thank you for the productive meet and confer this morning. Below, we memorialize our discussion regarding the discovery issues Relators raised in their Nov. 5, 2019 email and clarified on Nov. 8.

1. MPCA's identification of documents produced in response to RFPs

MPCA agreed that it will provide Relators a document identifying by Bates number for each RFP the documents MPCA has produced. MPCA expects to complete this task by Nov.15. Relators will let MPCA know if any delay in completing this categorization is problematic.

2. Omission of Keetac documents

MPCA cited Keetac in response to MPCA Written Deposition Question ("Question") 5 and Depo. Exhibit 4, yet produced no documents showing EPA had commented on the Keetac proposed final NPDES permit. Relators requested relevant documents or clarification that Keetac is not responsive. MPCA will determine if there are responsive documents and inform Relators.

3. Omission of documents responsive to Written Deposition Question 14

MPCA clarified that it produced all documents responsive to Written Deposition Question ("Question") 14 and that its identification of responses to RFPs by Bates number would include documents responsive to Question 14.

4. Deliberative privilege

MPCA agreed to forego a claim of deliberative process for its responses to Relators' RFPs, including supplementation. When asked whether MPCA would claim deliberative privilege if documents were released due to a forensic search, MPCA responded that if future documents are discovered related to Relators' set of RFPs, MPCA will not claim deliberative process privilege.

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November 11, 2019

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5. AWP/ACP—no identified attorney

Relators identified documents where MPCA has claimed attorney work product (“AWP”) or attorney-client privilege (“ACP”) where no attorney is identified. MPCA said it would be inclined to produce documents if no attorney was identified or directed the preparation. Relators agreed that, based on the information they have, some documents may need to be produced and others may require a more detailed privilege log. Relators agreed to identify disputed documents, and MPCA stated it does not intend to claim attorney work product in a way that doesn’t apply.

6. AWP/ACP—third parties

Relators explained that there are documents where MPCA claims AWP or ACP where third parties were included in the communication, including: (1) Doc. Nos. 595 and 596 authored by EPA attorney Barbara Wester; (2) Doc. No. 160 authored by Richard Clark and sent to EPA attorney Mark Ackerman; and (3) Doc. Nos. 614 and 618 sent to PolyMet lawyers. Relators agreed to identify disputed documents, and MPCA agreed to take a look at these documents.

7. AWP/ACP—Mike Schmidt

Relators explained that there are two categories of documents regarding Mr. Schmidt that Relators believe must be disclosed: (1) documents between MPCA staff members where Mr. Schmidt is merely cc’d; and (2) emails between Schmidt and non-attorney MPCA staff after Mr. Schmidt left MPCA on February 1, 2019. Relators agreed to identify disputed documents, and MPCA agreed to take a look at these documents.

8. Substantial need for two documents

Relators agreed that Doc. Nos. 301 and 302 on MPCA’s privilege log were Mr. Schmidt’s AWP and stated that they believed there is a substantial need and justification for their disclosure. The parties agreed on the scope of the argument, but disagreed on its resolution. MPCA agreed that, upon seeing Relators’ letter, it would seriously consider whether MPCA is obligated to produce the documents.

9. Forensic search for documents

Relators clarified their request that MPCA conduct a forensic search of servers as well as computers for documents involving Ms. Lotthammer, Mr. Stine and Ms. Foss. MPCA opposed the request and stated that MPCA had done a “reasonable” search of Ms. Lotthammer’s computer. MPCA didn’t answer Relators’ question about whether MPCA had placed a litigation hold on documents. The parties did not reach agreement on this issue and agreed that it would be submitted to the Court.

In conclusion, Relators request that MPCA inform us by close of business on Tuesday on the issues where MPCA was either going to search for documents (#2) or review documents and issues (#5 through #8). The most efficient way to proceed would be if MPCA would identify which documents it agrees to produce, which documents MPCA has decided it will not produce absent Court direction, and which documents require further discussion or delineation of privilege. Thank you again for a productive meeting.

November 11, 2019
Page 3

EXHIBIT 1

Best regards,

MASLON LLP

/s/ Evan A. Nelson

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cc: Counsel of record

EXHIBIT 1

Deposition of Stephanie Handeland - 10/15/2019 In the Matter of the Denial of Contested Case Hearing Requests, et al.

Page 1

1 STATE OF MINNESOTA DISTRICT COURT
 2 COUNTY OF RAMSEY SECOND JUDICIAL DISTRICT
 3 Court File No. 62-CV-19-4626
 Case Type: Civil Other/Misc.

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In the Matter of the Denial of Contested
 6 Case Hearing Requests and Issuance of
 National Pollutant Discharge Elimination
 7 System/State Disposal System Permit No.
 MN0071013 for the Proposed NorthMet
 8 Project St. Louis county Hoyt Lakes and
 Babbitt Minnesota.

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 DEPOSITION OF
 STEPHANIE HANDELAND
 BY WRITTEN QUESTIONS

25 Taken: October 15, 2019 By Mary Piehl, B.S.Ed, RPR

EXHIBIT 1

**Deposition of Stephanie Handeland - 10/15/2019
In the Matter of the Denial of Contested Case Hearing Requests, et al.**

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1 couldn't keep up.
2 (b) State whether the initial notes you took on
3 April 5, 2018 were in the same spiral notebook
4 from which the other notes in Handeland Exhibit 3
5 were copied.
6 THE WITNESS: Yes, they were in the same
7 notebook.
8 7. Your declaration of June 12, 2019 (Paragraph 10)
9 states that, during the April 5, 2018 call with
10 EPA regarding the PolyMet NPDES Permit, "I noticed
11 that Mike Schmidt was also taking notes, so I
12 stopped."
13 (a) Did you ever observe another MPCA staff
14 person taking notes during any other call or
15 meeting with EPA regarding the PolyMet NPDES
16 Permit?
17 THE WITNESS: Yes.
18 (b) Did you ever stop taking notes of a call or
19 meeting with EPA regarding the PolyMet NPDES
20 Permit based on the fact that another person was
21 also taking notes?
22 THE WITNESS: Not just for that reason.
23 The reason I stopped taking notes on April 5th was
24 because I couldn't keep up. That was the main
25 reason.

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1 THE WITNESS: I don't recall any other
2 time when that would have occurred.
3 9. Your declaration of May 28, 2019 (Paragraph 7)
4 states regarding the April 5, 2018 call with EPA in
5 which EPA read its comments on the PolyMet NPDES
6 Permit, "There was nothing new or surprising in
7 EPA's comments, all of which had been covered and
8 discussed in previous meetings or conference calls,
9 except for one small concern about domestic
10 wastewater, which MPCA summarized and addressed in
11 the fact sheet."
12 (a) Describe in detail all of the concerns
13 regarding the PolyMet NPDES Permit raised by EPA's
14 comments read to MPCA on April 5, 2018;
15 THE WITNESS: The EPA's comments all
16 appear in Handeland 4, and I don't recall any
17 other items mentioned during that call that are
18 outside of that letter that's in Handeland
19 Exhibit 4.
20 (b) Identify every document that reflects that
21 EPA's concerns regarding the PolyMet NPDES Permit
22 in the comments read aloud by EPA on April 5, 2018
23 had been discussed in previous meetings or
24 conference calls with MPCA.
25 THE WITNESS: I'm going to hand over to

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1 8. Your declaration of June 12, 2019 (Paragraph 10)
2 states that you discarded your notes from the
3 April 5, 2018 call with EPA regarding the PolyMet
4 NPDES Permit "because [your] note taking was
5 worthless."
6 (a) On what date did you discard these notes?
7 THE WITNESS: I recycled those notes on
8 the same date, April 5, 2018.
9 (b) Describe every communication you had with
10 anyone else at MPCA regarding the notes you took
11 of the EPA call on April 5, 2018.
12 THE WITNESS: None.
13 (c) Do you agree that your notes from April
14 5, 2018 would have memorialized the fact that a
15 call between MPCA and EPA pertaining to the
16 PolyMet NPDES Permit occurred on April 5, 2018?
17 THE WITNESS: Well, I would have written
18 "EPA call" on the top left of the page and the
19 date on the right side of the page, just like any
20 other time I took notes, and then that would have
21 shown that call took place on April 5th.
22 (d) Identify every other call or meeting with
23 EPA regarding the PolyMet NPDES Permit where you
24 took handwritten notes and subsequently discarded
25 them.

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1 you, the court reporter, documentation that
2 responds to Question 9(b). It's notes from those
3 calls, agendas, documentation, draft documents,
4 part of this exhibit, I guess.
5 MR. SCHWARTZ: And it has a sticky on it
6 that's just labeled Question 9(b). We have copies
7 for Relators.
8 (Exhibit No. 6 was marked for
9 identification.)
10 10. The annotated copy of EPA's comments on the draft
11 PolyMet NPDES Permit that Kevin Pierard read aloud
12 to MPCA is attached as Handeland Exhibit 4.
13 Referring to Mr. Pierard's statement that the
14 underlined portions of this document were read word
15 for word to you on April 5, 2018, state with
16 specificity any disagreements you have with Mr.
17 Pierard's statement and the basis for your
18 disagreement.
19 THE WITNESS: I don't disagree with any of
20 the underlined statements on this Handeland
21 Exhibit 4, but I can't confirm from memory that
22 everything was read word for word. I can't
23 remember exactly word for word what was read.
24 11. Your declaration of June 12, 2019 (Paragraph 14)
25 stated that once EPA "did send a letter stating that

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**Deposition of Richard Clark - 10/16/2019
In the Matter of the Denial of Contested Case Hearing Requests, et al.**

1 STATE OF MINNESOTA DISTRICT COURT
 2 COUNTY OF RAMSEY SECOND JUDICIAL DISTRICT
 3 Court File No. 62-CV-19-4626
 Case Type: Civil Other/Misc.

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In the Matter of the Denial of Contested
 6 Case Hearing Requests and Issuance of
 National Pollutant Discharge Elimination
 7 System/State Disposal System Permit No.
 MN0071013 for the Proposed NorthMet
 8 Project St. Louis county Hoyt Lakes and
 Babbitt Minnesota.

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 DEPOSITION OF
 RICHARD CLARK
 BY WRITTEN QUESTIONS

25 Taken: October 16, 2019 By Mary Piehl, B.S.Ed, RPR

EXHIBIT 1

Deposition of Richard Clark - 10/16/2019
In the Matter of the Denial of Contested Case Hearing Requests, et al.

Page 14	Page 16
<p>1 pertaining to the PolyMet NPDES permit?</p> <p>2 THE WITNESS: I don't believe the mining</p> <p>3 sector ever thought it was mandatory that EPA and</p> <p>4 MPCA agree on issues before EPA could comment.</p> <p>5 Our goal was to try to resolve as many issues as</p> <p>6 possible with EPA informally, such that if EPA</p> <p>7 opted to send in comments, that the comments they</p> <p>8 did could be -- would be minimal in number and</p> <p>9 content.</p> <p>10 I fully expected at some point in PolyMet's</p> <p>11 permitting process that EPA would be submitting</p> <p>12 written comments. I just hoped that they would be</p> <p>13 based on a complete and thorough understanding of</p> <p>14 the project and of the content of the permit</p> <p>15 application, as well as on MPCA's consideration of</p> <p>16 the various issues.</p> <p>17 Throughout the entire PolyMet permitting</p> <p>18 process, we were always aware that EPA, with their</p> <p>19 objection authority on the final permit, they kind</p> <p>20 of had the last word. They had the authority to</p> <p>21 proceed as they saw fit, including submitting</p> <p>22 comments if they chose to. We're always aware too</p> <p>23 that they had the final approval authority on the</p> <p>24 permit before the PCA could issue it.</p> <p>25 7. Your declaration of June 12, 2019 (Paragraph 10)</p>	<p>1 that information to memory. Since I had no intent</p> <p>2 to go back and refer to those notes later, I</p> <p>3 discarded the notes shortly after the meetings.</p> <p>4 (c) For any notes from calls or meetings with</p> <p>5 EPA regarding the PolyMet NPDES Permit that you</p> <p>6 discarded, identify any other documents in which</p> <p>7 the content of your notes was reflected or</p> <p>8 retained.</p> <p>9 THE WITNESS: I'm not aware of any.</p> <p>10 8. Your declaration of May 28, 2019 (Paragraph 10)</p> <p>11 states that by the August 2017 time frame "MPCA</p> <p>12 and EPA had discussed together all of the major</p> <p>13 issues that EPA had with the pre-proposed permit</p> <p>14 and MPCA fully understood and considered EPA's</p> <p>15 positions." Please explain in detail all of</p> <p>16 "EPA's positions" that MPCA fully understood and</p> <p>17 considered by August 2017.</p> <p>18 THE WITNESS: My answer to this question</p> <p>19 is reflected in a list that I would like to</p> <p>20 provide to the court, or to you. I'm not sure of</p> <p>21 the process of...</p> <p>22 MR. SCHWARTZ: Just hand her the list and</p> <p>23 then hand one to the Relators.</p> <p>24 MR. NELSON: And this would be Exhibit</p> <p>25 No. 4.</p>
Page 15	Page 17
<p>1 states, "At meetings, I would sometimes take basic</p> <p>2 notes in my own shorthand to help me remember what</p> <p>3 had come up in the meeting" and "to help commit</p> <p>4 the issues to memory." Clark Exhibit 2 contains</p> <p>5 agendas, emails, and notes prepared by Stephanie</p> <p>6 Handeland pertaining to approximately three dozen</p> <p>7 calls or meetings between MPCA and EPA regarding</p> <p>8 the PolyMet NPDES Permit since August 2016.</p> <p>9 (a) Referring to Clark Exhibit 2 as needed,</p> <p>10 identify all calls or meetings with EPA regarding</p> <p>11 the PolyMet NPDES Permit at which you took notes.</p> <p>12 THE WITNESS: I'm not exactly sure at which</p> <p>13 specific meetings I may have taken notes at. I</p> <p>14 believe I wrote at least something down at more</p> <p>15 than half, but certainly not all of the meetings.</p> <p>16 And I really have no way of going back to check on</p> <p>17 that to ascertain that. Since I never intended to</p> <p>18 refer back to those notes, I discarded them</p> <p>19 shortly after the meeting.</p> <p>20 (b) For any notes from calls or meetings with</p> <p>21 EPA regarding the PolyMet NPDES Permit that you</p> <p>22 discarded, state why you discarded your notes if</p> <p>23 they helped you commit the issues to memory;</p> <p>24 THE WITNESS: For me, the physical act of</p> <p>25 writing something down is what helps me commit</p>	<p>1 (Exhibit No. 4 was marked for</p> <p>2 identification.)</p> <p>3 9. Your declaration of May 28, 2019 (Paragraph 15)</p> <p>4 states that "On April 5, 2018, MPCA and EPA had a</p> <p>5 conference call in which EPA told us that it would</p> <p>6 read from its draft written comments." How and</p> <p>7 when did you first learn that EPA had prepared</p> <p>8 written comments on the draft PolyMet NPDES</p> <p>9 Permit?</p> <p>10 THE WITNESS: Via an email I got from Jeff</p> <p>11 Udd on March 16, 2018.</p> <p>12 10. Your declaration of May 28, 2019 (Paragraph 15)</p> <p>13 states with respect to the April 5, 2018 call with</p> <p>14 EPA regarding the PolyMet NPDES Permit, "EPA</p> <p>15 treated the call as a summary or compendium of all</p> <p>16 of its previous concerns about the public comment</p> <p>17 draft permit." Do you agree that one of EPA's</p> <p>18 primary concerns in EPA comments read to MPCA on</p> <p>19 April 5, 2018 was the lack of WQBELs in the</p> <p>20 PolyMet NPDES Permit?</p> <p>21 THE WITNESS: Yes.</p> <p>22 11. Your declaration of May 28, 2019 (Paragraph 17)</p> <p>23 states that a number of the issues raised in the</p> <p>24 April 5, 2018 call with EPA regarding the PolyMet</p> <p>25 NPDES Permit "were not finally resolved, however,</p>

EXHIBIT 1

Deposition of Jeff Udd - 10/15/2019
In the Matter of the Denial of Contested Case Hearing Requests, et al.

1 STATE OF MINNESOTA DISTRICT COURT
 2 COUNTY OF RAMSEY SECOND JUDICIAL DISTRICT
 3 Court File No. 62-CV-19-4626
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In the Matter of the Denial of Contested
 6 Case Hearing Requests and Issuance of
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 7 System/State Disposal System Permit No.
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 Babbitt Minnesota.

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 DEPOSITION OF
 JEFF UDD
 BY WRITTEN QUESTIONS

25 Taken: October 15, 2019 By Mary Piehl, B.S.Ed, RPR

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Deposition of Jeff Udd - 10/15/2019
In the Matter of the Denial of Contested Case Hearing Requests, et al.

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<p>1 was pretty limited. I spoke to Ann Foss, F-O-S-S, 2 previous Mining Director at the MPCA, occasionally 3 to get status updates on the permit. I really 4 started attending routine check-in meetings in 5 December of 2017.</p> <p>6 2. Based on your experience working at MPCA since 7 2002, identify every NPDES permit other than the 8 PolyMet NPDES Permit for which EPA prepared 9 written comments on the draft NPDES permit, did 10 not send the written comments and, instead, read 11 EPA's comments aloud to MPCA.</p> <p>12 THE WITNESS: From my experience, I'm not 13 aware of any other MPCA permits.</p> <p>14 3. Based on your experience working at MPCA since 15 2002, identify every NPDES permit for which EPA 16 sent written comments on the draft NPDES permit 17 during the public comment period.</p> <p>18 THE WITNESS: In my experience, I'm aware 19 of one, which is the US Steel MinnTac Tailings 20 Base permit which was issued on December 1, 2018.</p> <p>21 4. Your declaration of May 28, 2019 (Paragraph 5) 22 states that in reading EPA's comments on the draft 23 PolyMet NPDES Permit to MPCA on April 5, 2018, EPA 24 was "alerting" MPCA to the issues it would be 25 looking at most carefully and that "As of April 5,</p>	<p>1 states that at the conclusion of the two-day 2 in-person meeting between EPA and MPCA on 3 September 25 and 26, 2018 "I believed that no 4 unmanageable issues remained, and we were in a 5 position to finalize the draft permit."</p> <p>6 (a) State on what you based this opinion.</p> <p>7 THE WITNESS: My opinion was based on the 8 discussions at the September 26 meeting with the 9 EPA. The participants from EPA at that meeting 10 included Linda Holst, H-O-L-S-T, Kevin Pierard, 11 P-I-E-R-A-R-D, Candace Bauer, B-A-U-E-R, Barbara 12 Wester, W-E-S-T-E-R, Krista McKim, M-C-K-I-M, and 13 Mark Ackerman, A-C-K-E-R-M-A-N.</p> <p>14 So the September 26 meeting began with 15 continued discussion regarding several issues, 16 including the treatment technology proposed by the 17 company, the appropriateness of WQBELs, and the 18 federal enforceability of the permit as, as 19 drafted. At one point during that September 26 20 meeting we took a break and EPA had a private 21 discussion. After resuming the meeting, EPA 22 presented recommendations to MPCA staff that EPA 23 indicated would resolve their concerns regarding 24 their two main issues, WQBELs and federal 25 enforceability. Those recommendations presented</p>
Page 11	Page 13
<p>1 2018, most of these issues had been discussed, but 2 some had not been finally resolved." Your 3 declaration of June 12, 2019 (Paragraph 7) states 4 that the April 5, 2018 call was about "what EPA 5 would be looking for in evaluating the adequacy of 6 the pre-proposed draft."</p> <p>7 (a) Explain whether you agree that one of the 8 primary issues that EPA was alerting MPCA would be 9 looked at by EPA to evaluate the adequacy of the 10 PolyMet NPDES Permit was whether the Permit 11 contained the WQBELs EPA believed were required.</p> <p>12 THE WITNESS: After the April 5, 2018 phone 13 call I did believe that one of the primary issues 14 that EPA and MPCA would continue to discuss was 15 WQBELs.</p> <p>16 (b) Explain whether you agree that as of April 17 5, 2018 the issues of whether the PolyMet NPDES 18 Permit would contain WQBELs had not been fully 19 resolved.</p> <p>20 THE WITNESS: So as of April 5, 2018, 21 further discussion regarding WQBELs was needed, 22 but I also believed that developing responses to 23 the comments that we received during the public 24 notice period would help in that discussion.</p> <p>25 5. Your declaration of May 28, 2019 (Paragraphs 7-8)</p>	<p>1 by EPA were primarily presented by Kevin Pierard.</p> <p>2 Regarding the WQBELs issue, it was agreed 3 that the PCA would add additional operating limits 4 for mercury, arsenic, cobalt, lead and nickel, to 5 ensure that the proposed treatment technology was 6 complying with water quality standards.</p> <p>7 Regarding the federal enforceability of the 8 permit, it was agreed that the MPCA would add 9 permit language prohibiting the violation of water 10 quality standards. This prohibition would ensure 11 that EPA was able to take enforcement action on 12 any water quality violations if and as needed.</p> <p>13 (b) Explain whether you agree that as of 14 September 26, 2018, the issue of whether the 15 PolyMet NPDES Permit would contain WQBELs remained 16 unresolved.</p> <p>17 THE WITNESS: I don't agree that as of 18 September 26, 2018 that that was unresolved.</p> <p>19 (c) Explain whether you agree that, as of the 20 October 22, 2018 call between MPCA and EPA 21 regarding the PolyMet NPDES Permit, EPA stated 22 they would focus their review on final draft 23 permit language on WQBELs.</p> <p>24 THE WITNESS: I disagree that the EPA 25 review would focus on the final draft permit</p>

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**Deposition of Jeff Udd - 10/15/2019
In the Matter of the Denial of Contested Case Hearing Requests, et al.**

Page 14	Page 16
<p>1 language on WQBELs, because there were no WQBELs 2 proposed and EPA knew that. The EPA review would 3 focus on how MPCA incorporated the recommendations 4 from the September 26, 2018 meeting regarding 5 WQBEL discussion and federal enforceability. 6 Those incorporations in the permit included the 7 additional operating limits I mentioned previously 8 and permit language prohibiting any violation of 9 water quality standards, both of which provided 10 additional water quality protection. 11 6. Your declaration of May 28, 2019 (Paragraph 9) 12 cites the Memorandum of Agreement ("MOA") between 13 MPCA and EPA. Describe the substance of any 14 discussions between MPCA and EPA in 2018 in which 15 you participated or about which you were informed 16 regarding the potential to amend the MOA in 17 connection with the PolyMet NPDES Permit. 18 THE WITNESS: I'm not aware of any such 19 discussions. 20 7. Your declaration of May 28, 2019 (Paragraph 10) 21 states that the pre-proposed version of the 22 PolyMet NPDES Permit sent to EPA on October 25, 23 2018 "reflected all of the discussion points from 24 the two-day, in-person meeting in September 2018." 25 Do you agree that this pre-proposed version of the</p>	<p>1 question because it goes directly to the alleged 2 procedural irregularities in this matter, but we 3 agree that the judge has ruled the witness does 4 not need to answer. 5 9. Your declaration of June 12, 2019 (Paragraph 5) 6 states that you have "no knowledge of whether 7 Regional Administrator Stepp prevented 8 professional staff from sending written comments" 9 and "no knowledge of any communications between 10 MPCA Commissioner John Linc Stine and EPA 11 Administrator Cathy Stepp about alleged complaints 12 with EPA's written comments." 13 (a) How did you first learn that Shannon 14 Lotthammer had requested that EPA not send its 15 written comment letter on the draft PolyMet NPDES 16 Permit during the public comment period? 17 THE WITNESS: Well, I was aware during the 18 week of March 12th, 2018 that Shannon Lotthammer 19 was having discussions with EPA regarding the EPA 20 permit review period. At that time I did not know 21 that EPA had proposed a comment or prepared a 22 comment letter. During that week Shannon had 23 asked me if I was okay with extending EPA's review 24 period of the proposed permit beyond what was 25 outlined in the Memorandum of Agreement between</p>
Page 15	Page 17
<p>1 PolyMet NPDES Permit did not provide WQBELs? 2 THE WITNESS: Yes. 3 8. (a) In the September 25, 2018 meeting between 4 MPCA, EPA and PolyMet, did PolyMet oppose putting 5 WQBELs in the PolyMet NPDES Permit due to concerns 6 that "anti-backsliding" would prevent removing 7 WQBELs even if water quality standards changed? 8 MR. SCHWARTZ: I object to this question, 9 instruct the witness not to answer it, based on 10 Judge Guthmann's September 26th ruling -- sorry, 11 September 16th ruling. 12 MS. MACCABEE: Relators agree that that 13 was Judge Guthmann's ruling, and Relators believe 14 that the witness should be required to answer this 15 question because it goes directly to some of the 16 alleged procedural irregularities that Relators 17 have cited. 18 (b) Identify all other communications of which 19 you are aware where PolyMet expressed opposition 20 to including WQBELs in the PolyMet NPDES Permit. 21 MR. SCHWARTZ: I object to this question and 22 instruct the witness not to answer it, again based 23 on Judge Guthmann's September 16th ruling. 24 MS. MACCABEE: Relators again say we 25 believe that the witness should answer this</p>	<p>1 MPCA and EPA. I told Shannon I was okay with 2 extending the review time. 3 (b) How did you first see a copy of Shannon 4 Lotthammer's March 13, 2018 email to Kurt Thiede 5 asking that EPA not send its written comment 6 letter on the draft NPDES Permit during the public 7 comment period? 8 THE WITNESS: I first saw a copy of the 9 March 13, 2018 email at a release by the EPA 10 union, which was in June of 2019. 11 10. Stephanie Handeland's notes of March 5, 2018, 12 attached as Udd Exhibit 1, state that "EPA will 13 submit comments during PN [public notice] period," 14 that Kevin Pierard said, "EPA will discuss draft 15 comments," and that MPCA and EPA would "[s]et up 16 call early next week" at 9:00, 10:00 or 11:00 on 17 Monday. 18 (a) Did you speak by phone with Mr. Pierard 19 on or about Monday, March 12, 2018 about EPA's 20 draft comments on the draft PolyMet NPDES Permit? 21 THE WITNESS: I don't recall speaking with 22 Mr. Pierard on or about March 12 of the 2018. 23 (b) In the discussion with Mr. Pierard on or 24 about Monday March 12, 2018, did he provide 25 details about what would be contained in EPA's</p>

EXHIBIT 1

Deposition of MPCA Designee Jeff Udd - 10/15/2019 In the Matter of the Denial of Contested Case Hearing Requests, et al.

Page 1

1 STATE OF MINNESOTA DISTRICT COURT
 2 COUNTY OF RAMSEY SECOND JUDICIAL DISTRICT
 3 Court File No. 62-CV-19-4626
 Case Type: Civil Other/Misc.

4 _____
 5

In the Matter of the Denial of Contested
 6 Case Hearing Requests and Issuance of
 National Pollutant Discharge Elimination
 7 System/State Disposal System Permit No.
 MN0071013 for the Proposed NorthMet
 8 Project St. Louis county Hoyt Lakes and
 Babbitt Minnesota.

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 DEPOSITION OF
 MPCA DESIGNEE JEFF UDD
 BY WRITTEN QUESTIONS

Taken: October 15, 2019 By Mary Piehl, B.S.Ed, RPR

EXHIBIT 1

**Deposition of MPCA Designee Jeff Udd - 10/15/2019
In the Matter of the Denial of Contested Case Hearing Requests, et al.**

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1 implementing regulations; and
2 V. "You" or "your" refers to the Minnesota
3 Pollution Control Agency ("MPCA"), and its employees,
4 agents, and representatives, including, but not limited
5 to, counsel.

6 (The following written questions were
7 read to the witness by the court reporter.)

WRITTEN DEPOSITION QUESTIONS

- 10
- 11 1. The June 18, 2019 media release from the EPA union
12 leaking a portion of an email on March 13, 2018
13 from Shannon Lotthammer to Curt Thiede is attached
14 as MPCA Exhibit 1. Ms. Lotthammer's email in MPCA
15 Exhibit 1 is entitled "FW: Minnesota Speaker's
16 Office." The email reads, in part, "We have asked
17 that EPA Region 5 not send a written comment
18 letter during the public comment period and
19 instead follow the steps outlined in the MOA, and
20 wait until we have reviewed and responded to
21 public comments and made associated changes before
22 sending comments from EPA." The email also refers
23 to additional notes below from MPCA Commissioner
24 John Linc Stine.

25 MR. NELSON: Just want to take a moment.

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1 conversation with the Speaker's Office about
2 sulfate legislation. Cathy Stepp at EPA forwarded
3 that on to John Linc Stine at MPCA. John Stine
4 replied to EPA and added Shannon Lotthammer as cc
5 to that email string. Shannon Lotthammer then
6 used that same email string to discuss the
7 application of the Memorandum of Agreement to the
8 PolyMet project, and the subject of the email was
9 never changed.

- 10 2. Michael Schmidt's declaration of June 12, 2019
11 (Paragraph 20) states with respect to the April 5,
12 2018 call between MPCA and EPA regarding the
13 PolyMet NPDES Permit, "I do not remember
14 specifically what I did with my handwritten notes"
15 and that Mr. Schmidt customarily would not retain
16 handwritten notes because he would integrate those
17 notes in a typed document.

18 (a) Has MPCA retained either Mr. Schmidt's
19 original handwritten notes of April 5, 2018 or his
20 typed document regarding the substance of that
21 call?

22 MR. SCHWARTZ: The witness may answer the
23 question, but at this point just want to register
24 an objection to lack of foundation for part of the
25 question. Having done that, the witness may

Page 11

1 Shannon Lotthammer was referred to as Sharon
2 Lotthammer.

3 (a) Please explain why Ms. Lotthammer's March
4 13, 2018 email was not produced in response to
5 WaterLegacy's five Data Practices Act requests
6 beginning on March 26, 2018 or Minnesota Center
7 for Environmental Advocacy's June 19, 2019 Data
8 Practices Act request.

9 THE WITNESS: Shannon Lotthammer regularly
10 managed her emails and it was deleted prior to any
11 outstanding EPA requests.

12 (b) If MPCA claims that Ms. Lotthammer's March
13 13, 2018 email has been discarded, state from
14 which paper files and computers it was discarded,
15 by whom and on what date.

16 THE WITNESS: Shannon did not print a copy
17 of the email she had deleted from the system, and
18 she doesn't recall the date that she deleted the
19 email.

20 (c) Explain why Ms. Lotthammer's March 13, 2018
21 email is entitled "FW: Minnesota Speaker's
22 Office."

23 THE WITNESS: The email string started as
24 an email generated by Kurt Thiede at EPA on an
25 unrelated subject. That subject was his

Page 13

1 answer.

2 THE WITNESS: No.

3 (b) If MPCA claims that Mr. Schmidt's typed
4 document regarding the substance of the April 5,
5 2018 call has been discarded, state from which
6 paper files and computers it was discarded, by
7 whom and on what date.

8 MR. SCHWARTZ: Again the witness may
9 answer the question, but I want to register an
10 objection to the lack of foundation.

11 THE WITNESS: The MPCA does not claim such
12 a typed document has been discarded.

- 13 3. The Memorandum of Agreement ("MOA") between MPCA
14 and EPA signed in 1974 and amended in 2000 to
15 reflect the Great Lakes Initiative, is attached as
16 MPCA Exhibit 2.

17 (a) Given MPA provisions pertaining to Section
18 124.22, including paragraph (8) on page 4, after
19 MPCA received EPA's November 3, 2016 letter
20 stating deficiencies in PolyMet's NPDES Permit
21 application, on what basis did MPCA conclude it
22 was entitled to proceed with the PolyMet NPDES
23 Permit?

24 THE WITNESS: The November EPA letter was
25 based on the initial permit application, which the

2017 WL 10505352

Only the Westlaw citation is currently available.

United States District Court, D. Minnesota.

DELUXE FINANCIAL SERVICES, LLC, Plaintiff,

v.

Brian S. SHAW, and Harland

Clarke Corp., Defendants.

Civil No. 16-cv-3065 (JRT/HB)

Signed 02/09/2017

Attorneys and Law Firms

Charles F. Knapp, Erik A. Mosvick, Katherine K. Bruce, Faegre Baker Daniels LLP, Minneapolis, MN, Thomas W. Carroll, Pro Hac Vice, Littler Mendelson, P.C., Denver, CO, for Plaintiff.

David K. Montgomery, Pro Hac Vice, Jackson Lewis P.C., Cincinnati, OH, Jillian M. Flower, Lee A. Lastovich, Jackson Lewis PC, Minneapolis, MN, for Defendants.

ORDER

HILDY BOWBEER, United States Magistrate Judge

*1 This matter is before the Court on Plaintiff's Motion to Compel Rule 34 Request for Inspection [Doc. No. 72]. The Court held a hearing on this motion on January 27, 2017. (Minutes [Doc. No. 85].)¹

I. Background

On September 14, 2016, Plaintiff Deluxe Financial Services, LLC ("Deluxe") brought claims against former employee Brian S. Shaw ("Shaw") and Deluxe's competitor Harland Clarke Corp. ("Harland Clarke") for misappropriating trade secrets and tortiously interfering with Deluxe's business. (Compl. [Doc. No. 1].) According to the Amended Complaint dated November 7, 2016, the allegations stem from Shaw's alleged improper retention of Deluxe documents after he was terminated by Deluxe as part of a workforce reduction and later joined Harland Clarke. (Am. Compl. ¶¶ 10, 39, 48 [Doc. No. 14].) Specifically, Deluxe alleges Shaw brought multiple USB devices containing over 7,000 Deluxe business files to his employment at Harland Clarke. (*Id.* ¶¶ 41, 64.) Shaw

then used this confidential information to respond to a request for proposal for a new multiyear contract, and stole one of Deluxe's former clients, costing Deluxe millions of dollars of lost revenue in the coming years. (*Id.* ¶¶ 53-54.)

Deluxe sought information from Harland Clarke after it discovered Shaw's alleged misconduct. Harland Clarke informed Deluxe that its investigation revealed Shaw had inserted at least two USB devices containing Deluxe files into his Harland Clarke work computer. (Sottile Decl. ¶ 6 [Doc. No. 80].) Harland Clarke eventually provided these USBs to Deluxe's forensic expert, Stroz Friedberg. (*Id.* ¶ 9.) Harland Clarke also reported to Deluxe that it had performed a search of Shaw's Harland Clarke work laptop computer and had found no Deluxe files from the two USB devices on the laptop. (*Id.* ¶ 12.)

On November 23, 2016, Deluxe served a request pursuant to Fed. R. Civ. P. 34 on Harland Clarke, asking to inspect Shaw's work computer to obtain a forensic image from which it could determine whether any Deluxe or Deluxe-originated document resides, or once resided, on such device.² (Mosvick Decl. Ex. A [Doc. No. 76].) Harland Clarke objected on the grounds that it suffered from "technical or procedural deficiencies," was overly broad, intrusive, and disproportionate, and that Harland Clarke would conduct a search and produce responsive documents in lieu of allowing the requested inspection. (Mosvick Decl. Ex. B [Doc. No. 76].) Deluxe now asks the Court for an order permitting Deluxe's forensic computer expert to conduct the requested inspection.

II. Discussion

Federal Rule of Civil Procedure 34(a)(1)(A) allows a party to serve on another party a request "within the scope of Rule 26(b)" to permit inspection of "any designated documents or electronically stored information—including writings, drawings, graphs, charts, photographs, sound recordings, images, and other data or data compilations—stored in any medium from which information can be obtained"

*2 Rule 26(b)(1) provides:

Parties may obtain discovery regarding any nonprivileged matter that is relevant to any party's claim or defense and proportional to the needs

of the case, considering the importance of the issues at stake in the action, the amount in controversy, the parties' relative access to relevant information, the parties' resources, the importance of the discovery in resolving the issues, and whether the burden or expense of the proposed discovery outweighs its likely benefit. Information within this scope of discovery need not be admissible in evidence to be discoverable.

The 2015 amendments to Rule 26 “restore[d] the proportionality factors to their original place in defining the scope of discovery.” Fed. R. Civ. P. 26 advisory committee’s note to 2015 amendment. The phrase “reasonably calculated to lead to the discovery of admissible evidence” was deleted because the phrase had been used incorrectly to expand the scope of discovery. *Id.* As amended, the rule still allows for “[d]iscovery of nonprivileged information not admissible in evidence ... so long as it is otherwise within the scope of discovery.” *Id.*

Deluxe argues a forensic inspection of the laptop computer used by Shaw at Harland Clarke is necessary so that it can determine what Deluxe files Shaw accessed on that computer, including any that may subsequently have been deleted.

Courts start from the position that granting a forensic inspection of an opponent’s electronic storage device “is highly intrusive.” *A.M. Castle & Co. v. Byrne*, 123 F. Supp. 3d 895, 900 (S.D. Tex. 2015). However, such inspections are sometimes justified, especially in cases where the device itself and the electronic data about its use that may be revealed by the electronic inspection is relevant to the claims and defenses in the suit. *Id.* A case involving the alleged misappropriation of trade secrets is such a cause of action. *Id.* at 901. Additionally, where “there are discrepancies or inconsistencies in the responding party’s discovery responses, a court may allow an expert to examine a mirror image of the party’s hard drives.” *Id.*

During the hearing, Defendants argued that to prevail on its motion for a forensic inspection, Deluxe must show both factors, both that the device itself and the information sought to be gained through the inspection is relevant to the claims at issue *and* that there has been discovery misconduct.

Although many of the cited cases do involve the presence of both factors, the Court has not found a case that explicitly requires both. Indeed, the Court has found several cases where courts have granted forensic inspections in the absence of any evidence of discovery misconduct or shortcomings. *See, e.g., Weatherford U.S., LP v. Innis*, No. 4:09-CV-061, 2011 WL 2174045 (D.N.D. June 2, 2011); *Calyon v. Mizuho Sec. USA Inc.*, No. 07CIV02241RODF, 2007 WL 1468889, at *3 (S.D.N.Y. May 18, 2007) (courts analyzing whether forensic inspection is appropriate “appear to consider the relationship between the plaintiff’s claims and the defendants’ computers and, *in some cases*, whether the defendant has fully complied with discovery requests, in determining how the requested electronic discovery should proceed (emphasis added)); *Frees, Inc. v. McMillian*, No. CIV.A.05 1979, 2007 WL 184889, at *2 (W.D. La. Jan. 22, 2007), *aff’d*, 2007 WL 1308388 (W.D. La. May 1, 2007); *Physicians Interactive v. Lathian Sys., Inc.*, No. CA 03-1193-A, 2003 WL 23018270, at *10 (E.D. Va. Dec. 5, 2003).

*3 Here, there is no question that the device itself – the laptop computer used by Shaw in his employment at Harland Clarke – is relevant to the claims and defenses in this case. Deluxe claims Shaw used that laptop to access confidential Deluxe files, and that it may contain evidence of the extent to which those files were used or referred to in the course of his work at Harland Clarke. Harland Clarke acknowledges that two USB drives that contained Deluxe files were attached to the laptop, but denies that there is any evidence that any confidential Deluxe files were accessed from the laptop. Thus, an inspection of the laptop is likely to yield information that would tend either to prove or disprove the parties’ respective positions as to Shaw’s alleged use of Deluxe confidential information in the course and scope of his work at Harland Clarke.

Harland Clarke contends, however, that even if Deluxe has made the necessary showing, the Court should not grant a forensic inspection because Harland Clarke has already searched Shaw’s computer. This argument has two sub-parts. First, Harland Clarke argues that its internal IT personnel have already searched Shaw’s computer, and that search showed that none of the Deluxe files from the two USB devices could be found on the laptop. (Sottile Decl. ¶ 12.) Next, Harland Clarke appears to argue that Deluxe is not entitled to use its own forensic expert but should accept the results of the investigation made by Harland Clarke’s internal expert.

Addressing Harland Clarke's second point first, other courts have ruled the party seeking the forensic inspection is entitled to its own forensic expert. *See, e.g., Multifeder Tech., Inc. v. British Confectionery Co.*, No. 09-cv-1090 (JRT/TNL), 2012 WL 4135848, at *7 n.6 (D. Minn. Sept. 18, 2012) (recounting magistrate judge's opinion that appointed the plaintiff's proffered forensic expert where defendant argued only that it be allowed to conduct its own search); *Antioch Co. v. Scrapbook Borders, Inc.*, 210 F.R.D. 645, 653 (D. Minn. 2002) (allowing plaintiff to choose its own expert in the field of computer forensics to conduct an inspection of the defendants' computer equipment). While the Court does not adopt a general rule that a party in Deluxe's position is automatically entitled to have its own forensic consultant conduct the inspection, it concludes that Deluxe has demonstrated good cause to do so here. First, while Harland Clarke states that it performed a search of Shaw's computer and found that only two of the USB drives containing Deluxe files had been attached at some point, and further found none of the Deluxe files from the two USB devices on the laptop, it has provided no affidavit, declaration, or other evidence showing, for example, by whom, how thoroughly, and pursuant to what protocol the search was conducted. Second, the results of that inspection, as reported by Harland Clarke's counsel, do not cover all of the information sought to be discovered by Deluxe, including, for example, whether there is evidence that the laptop had been used to open Deluxe files from one of the USB drives even if those files had not been saved or copied to the laptop.

Harland Clarke raises two additional concerns that should be addressed here. First, it argues the results of Deluxe's forensic examination should be shared with counsel for all parties. The Court agrees. Other courts have required forensic experts to provide their reports to counsel for both sides. *See, e.g., Weatherford U.S., LP*, No. 4:09-CV-061, 2011 WL 2174045, at *5 ("the expert shall provide the parties with a report describing the computers that defendants produced as well as his actions with respect to each computer"); *Ameriwood*

Indus., Inc. v. Liberman, No. 4:06CV524-DJS, 2007 WL 685623, at *1 (E.D. Mo. Feb. 23, 2007) ("As agreed to by the parties, the Court will also order the Expert to provide the parties with information concerning defendants' usage of their computer equipment."). And last but not least, Deluxe agrees the results should be distributed to counsel for both sides. (Pl.'s Mem. Supp. at 10 [Doc. No. 74] ("[T]he Court may order that Deluxe's expert create the forensic image, examine the forensic image for only evidence regarding files related to Deluxe or information originating with Deluxe and evidence of spoliation, and distribute the examination results to counsel for both sides.")).

*4 Second, Harland Clarke expresses concern about whether the proposed forensic protocol adequately protects the confidentiality of its own business information by clearly confining distribution of the results of the examination to counsel. This issue was not sufficiently briefed for the Court to make a ruling on specific language for the forensic protocol. The Court therefore directs the parties to meet and confer on an adequate forensic protocol based on this Order.

III. Conclusion

Accordingly, **IT IS HEREBY ORDERED** that:

1. Plaintiff's Motion to Compel Rule 34 Request for Inspection [Doc. No. 72] is **GRANTED**. The parties are directed to meet and confer on language for a forensic protocol that adequately addresses confidentiality concerns.

All Citations

Slip Copy, 2017 WL 10505352

Footnotes

- 1 The Court also heard Non-Party Mark Johnson's Motion to Quash Subpoena and for a Protective Order [Doc. No. 52] at that hearing. That motion will be addressed in a separate order.
- 2 Deluxe also asked for an inspection of other electronic devices, including a computer used by another Harland Clarke employee, Mark Johnson, but Deluxe subsequently narrowed its requests during the meet and confer process.

EXHIBIT 2

The logo for MASLON, consisting of the word "MASLON" in a serif font with a horizontal line underneath.

Evan A. Nelson
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November 27, 2019

Via E-filing and hand delivered

The Honorable John H. Guthmann
Ramsey County District Court
1470 Ramsey County Courthouse
15 Kellogg Boulevard West
St. Paul, MN 55102

Re: Ramsey County Court File No. 62-cv-19-4626

Dear Judge Guthmann:

Relators write in response to the letter filed by Minnesota Pollution Control Agency (“MPCA”) counsel on November 22, 2019 (the “Letter”) and to ask this Court to require MPCA to produce documents pursuant to this Court’s ruling at the November 13, 2019 hearing. We regret any inconvenience that the timing of our communications may cause the Court.

I. Response to MPCA’s Letter

As directed by the Court at the November 13, 2019 hearing, Relators reviewed previously withheld documents. Following this review, Relators sent MPCA an updated privilege log and produced two redacted emails on November 18, 2019. Less than twenty-four hours before filing the Letter with the Court, Relators learned of MPCA’s concerns with the production.

Relators’ will produce twelve emails previously withheld solely on the basis of a “confidential source” in redacted form, even though most of these emails are purely transmittal emails. With this correspondence, Relators provide their current privilege log as **Ex. A**, with indications as to which additional documents will be produced. Due to the Thanksgiving holiday and this morning’s heavy snow, Relators will not be able to produce these documents until next week.

With regard to MPCA’s vague assertion that Relators failed to produce an attachment referenced in a produced email, Relators have provided all documents that fit within the narrow scope of discovery the Court required. The document Relators believe MPCA references does not relate to any procedural irregularities and, therefore, Relators do not need to either produce the document or put the document on the privilege log. (Pre-Hr’g Conference Tr. 79:18-21 (Nov. 13, 2019) (“if it was never within the scope of the discovery they were obligated to answer, it’s obviously never within the scope of what they were expected to put on a privilege log”)).

EXHIBIT 2

November 25, 2019

Page 2

Finally, as to Relators' updates to the privilege log, Relators reexamined the documents contained in the privilege log and, in doing so, discovered certain documents contained attorney-work product. Relators properly supplemented the privilege log on that basis.

To the extent that Relators' production of these documents does not address MPCA's request, Relators ask the Court to deny MPCA's request.

II. Request for Production

Relators make a separate request that the Court require MPCA to produce relevant documents. Despite the parties' phone conference on November 11, 2019 and the Court's direction, MPCA has yet to provide Relators dozens of documents for which privilege was not properly established in MPCA's initial privilege log. After informing Relators it would produce documents that had been withheld due to a claim of "deliberative privilege," MPCA instead reclassified many of these documents on its privilege log to claim an attorney-client privilege and attorney work product. MPCA has also continued to withhold documents that lack indicia of attorney-client privilege or attorney work product, that are germane to alleged procedural irregularities, and that may contain segregable, if any, content related to privileged matters.

Rather than address all 1,254 documents to which the MPCA now asserts some form of attorney-client privilege or attorney work product, Relators are seeking production of documents dated during the permitting process. As indicated on **Ex. B**, Relators seek documents on MPCA's November 26, 2019 privilege log for which MPCA claims a disputed attorney-client privilege, many of which are permitting documents pertinent to Relators' alleged procedural irregularities likely to have segregable, if any, privileged content. In **Ex. B**, Relators have identified approximately 60 of those documents that haven't been produced, even in a redacted version.

To illustrate Relators' concerns, MPCA's privilege log number 39 lists neither author nor recipient but claims to be attorney-client privileged. MPCA privilege log numbers 949-955 are asserted to be prepared at the request of counsel and 956-973 are Excel documental for which attorney-client and attorney work product privileges are asserted. If these permitting documents, all prepared in the summer of 2018, serve to compare EPA's criticisms of the draft PolyMet permit to those made by members of the public, they would be highly material to Relators' claims that MPCA engaged in a cover up after EPA's written comments were withheld. Relators would have a substantial need for this information, which could not be obtained from other sources.

Relators respectfully request that the Court order MPCA to provide Relators with the permitting documents identified in the attached updated MPCA privilege log spreadsheet (**Ex. B**). Once Relators have reviewed these documents and any potential redactions, we will be in a better position to determine whether further disclosure or in camera review is needed.

EXHIBIT 2

November 25, 2019

Page 3

Finally, although MPCA has produced Michael Schmidt's 29-page April 17, 2018 memorandum, MPCA redacted more than 26 of its pages in their entirety, as shown in **Ex. C**. Mr. Schmidt's memorandum is likely to provide contemporaneous factual information as to what transpired in the April 5, 2018 meeting during which EPA read its comments on the draft PolyMet NPDES permit aloud to MPCA staff and in other MPCA discussions at this critical time. Relators respectfully request that the Court order MPCA to produce Mr. Schmidt's April 17, 2018 memorandum for the Court's in camera review to ensure that redactions do not exceed the scope of privilege.

[signature blocks on following page]

EXHIBIT 2

November 25, 2019

Page 4

Respectfully submitted,

MASLON LLP/s/ Evan A. Nelson

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Enclosures

cc: Counsel of Record (via Odyssey)

EXHIBIT 2

Doc No.	Date	Author	Recipient(s)	File Type	Description	Privilege Claim	Relators' Unresolved Issue
39	3/17/2017			PDF	Attorney client privileged communication to receive legal advice	Attorney Client Communication Attorney Work Product	Privilege disputed (11-11-19) Request production for all "privilege disputed" documents.
153	9/14/2018	Jeff Udd (MPCA)	Richard Clark (MPCA) Stephanie Handeland (MPCA) Brian Schweiss(MPCA) Scott Kyser (MPCA)	Email	Communication between MPCA personnel	Attorney Client Communication Attorney Work Product	Privilege disputed (11-11-19)
301	4/17/2018	Michael R Schmidt (MPCA)		PDF	Attorney Work Product regarding permit development	Attorney Client Communication Attorney Work Product	Request in camera review due to substantial need & redactions.
308	6/4/2018	Stephanie Handeland (MPCA)	Michael R. Schmidt Jeff Udd Richard Clark	PDF	Communication between MPCA personnel	Attorney Client Communication Attorney Work Product	Privilege disputed (new 11-21) "new" = newly listed by MPCA.
597	5/19/2016			Word Doc	Michael Schmidt Work Product	Attorney Client Communication	Privilege disputed (11-11-19)
949	7/12/2018			Word Doc	Work Product prepared at request of counsel	Attorney Work Product	Privilege disputed (11-11-19)
950	7/12/2018			Word Doc	Work Product prepared at request of counsel	Attorney Work Product	Privilege disputed (11-11-19)
951	7/12/2018			Word Doc	Work Product prepared at request of counsel	Attorney Work Product	Privilege disputed (11-11-19)
952	6/4/2018			Word Doc	Work Product prepared at request of counsel	Attorney Client Communication Attorney Work Product	Privilege disputed (11-11-19)
953	7/16/2018			Word Doc	Michael Schmidt attorney work product	Attorney Client Communication	Privilege disputed (11-11-19)
954	6/4/2018			Word Doc	Work Product prepared at request of counsel	Attorney Client Communication	Privilege disputed (11-11-19)
955	6/4/2018			Word Doc	Work Product prepared at request of counsel	Attorney Client Communication	Privilege disputed (11-11-19)
956	6/4/2018			Excel Doc	Michael Schmidt attorney-client communications and work product	Attorney Client Communication Attorney Work Product	Privilege disputed (11-11-19)
957	6/8/2018			Excel Doc	Michael Schmidt attorney-client communications and work product	Attorney Client Communication Attorney Work Product	Privilege disputed (11-11-19)
958	7/12/2018			Excel Doc	Michael Schmidt attorney-client communications and work product	Attorney Client Communication Attorney Work Product	Privilege disputed (11-11-19)
959	6/1/2018			Excel Doc	Michael Schmidt attorney-client communications and work product	Attorney Client Communication Attorney Work Product	Privilege disputed (11-11-19)
960	6/28/2018			Excel Doc	Michael Schmidt attorney-client communications and work product	Attorney Client Communication Attorney Work Product	Privilege disputed (11-11-19)
961	6/4/2018			Excel Doc	Michael Schmidt attorney-client communications and work product	Attorney Client Communication Attorney Work Product	Privilege disputed (11-11-19)
962	6/28/2018			Excel Doc	Michael Schmidt attorney-client	Attorney Client	Privilege disputed (11-11-19)
963	7/2/2018			Excel Doc	Michael Schmidt attorney-client	Attorney Client	Privilege disputed (11-11-19)
964	6/18/2018			Excel Doc	Michael Schmidt attorney-client	Attorney Client	Privilege disputed (11-11-19)
965	7/12/2018			Excel Doc	Michael Schmidt attorney-client	Attorney Client	Privilege disputed (11-11-19)
966	7/12/2018			Excel Doc	Michael Schmidt attorney-client	Attorney Client	Privilege disputed (11-11-19)
967	7/12/2018			Excel Doc	Michael Schmidt attorney-client	Attorney Client	Privilege disputed (11-11-19)
968	6/1/2018			Excel Doc	Michael Schmidt attorney-client	Attorney Client	Privilege disputed (11-11-19)
969	6/4/2018			Excel Doc	Michael Schmidt attorney-client	Attorney Client	Privilege disputed (11-11-19)
970	6/8/2018			Excel Doc	Michael Schmidt attorney-client	Attorney Client	Privilege disputed (11-11-19)
971	6/28/2018			Excel Doc	Michael Schmidt attorney-client	Attorney Client	Privilege disputed (11-11-19)
972	7/17/2018			Excel Doc	Michael Schmidt attorney-client	Attorney Client	Privilege disputed (11-11-19)
973	6/1/2018			Excel Doc	Michael Schmidt attorney-client	Attorney Client	Privilege disputed (11-11-19)
1114	12/11/2018	Jeff Udd (MPCA)	Shannon Lotthammer	Email	Forwarding attorney communication and	Attorney Client	Privilege disputed (new 11-26)
1115	12/11/2018			Email	Attorney Attorney Work Product regarding	Attorney Client	Privilege disputed (new 11-26)
1117	6/6/2018	Jeff Udd (MPCA)	Shannon Lotthammer	Email	Attorney communication with agency	Attorney Client	Privilege disputed (new 11-26)
1118	6/6/2018			Email	Attorney communication with agency	Attorney Client	Privilege disputed (new 11-26)
1131	10/17/2018	CoriAhna Rude-Young (MPCA)	Dave Verhasselt (MPCA) Shannon Lotthammer (MPCA)	Email	Forwarding attorney communication and Attorney Work Product	Attorney Client Communication Attorney Work Product	Privilege disputed (new 11-26)

EXHIBIT 2

1153	2/15/2018	Michell Ooley (MPCA)	John Stine (MPCA) Shannon Lotthammer (MPCA) Jeff J Smith(MPCA) Jeff Udd (MPCA) Mark Schmitt (MPCA) Adonis Neblett (MPCA) Stephanie Handeland (MPCA) Michelle Beeman (MPCA) Kirk Koudelka (MPCA) Jean Coleman (MPCA) Brandon E Smith (MPCA) Erik Smith (MPCA) Richard Clark (MPCA) Brian Schweiss (MPCA) Scott Knowles (MPCA) Theresa Haugen (MPCA) Scott Kyser (MPCA) Aida Mendez (MPCA) Steven Weiss (MPCA) Catherin Neuschler (MPCA) Byron Adams (MPCA) Andrew Streitz (MPCA) Julie Henderson(MPCA) Steve Giddings (MPCA) Michael J. Anderson (MPCA)	Email	Attorney communication with agency personnel	Attorney Client Communication Attorney Work Product	Privilege disputed (new 11-26)
1154	2/15/2018			Email	Attorney communication with agency personnel	Attorney Client Communication Attorney Work Product	Privilege disputed (new 11-26)
1155	2/15/2018	Michell Ooley (MPCA)	John Stine (MPCA) Shannon Lotthammer (MPCA) David J Benke (MPCA) Jeff Stollenwerk (MPCA) Mark Schmitt (MPCA) Jen Oknich (MPCA) Adonis Neblett (MPCA) Michelle Beeman (MPCA) Kirk Koudelka (MPCA) Jean Coleman (MPCA) William Wilde (MPCA) Jeff Udd (MPCA) Richard Clark (MPCA) Jim Sullivan (MPCA) Hassan Bouchareb (MPCA) Zach Wenz (DNR) Bruce A Monson (MPCA) David L Brown (MPCA) Michael Olson (DNR) Ed Swain (MPCA)	Email	Attorney communication with agency personnel	Attorney Client Communication Attorney Work Product	Privilege disputed (new 11-26)
1156	2/15/2018			Email	Attorney communication with agency personnel	Attorney Client Communication Attorney Work Product	Privilege disputed (new 11-26)
1161	12/31/2018	Adonis Neblett (MPCA)	Shannon Lotthammer (MPCA) Jeff Udd (MPCA) Michael R. Schmidt (MPCA) Jeff J Smith(MPCA)	Email Attachment - PDF	Attorney communication with agency personnel	Attorney Client Communication Attorney Work Product	Privilege disputed (new 11-26)
1162	12/11/2018	Jeff Udd (MPCA)	Shannon Lotthammer	Email	Forwarding attorney communication and	Attorney Client Communication Attorney Work Product	Privilege disputed (new 11-26)
1163	12/11/2018			Email	Forwarding attorney communication and	Attorney Client Communication Attorney Work Product	Privilege disputed (new 11-26)
1164	12/3/2018	Michael R. Schmidt (MPCA)	Adonis Neblett (MPCA) Shannon Lotthammer (MPCA) Jeff Udd (MPCA)	Email	Attorney communication with agency personnel	Attorney Client Communication Attorney Work Product	Privilege disputed (new 11-26)
1165	12/3/2018			Email	Attorney communication with agency personnel	Attorney Client Communication Attorney Work Product	Privilege disputed (new 11-26)
1166	5/31/2018	Michael R. Schmidt	Shannon Lotthammer	Email	Attorney communication with agency personnel	Attorney Client Communication Attorney Work Product	Privilege disputed (new 11-26)
1167	12/31/2018	Adonis Neblett (MPCA)	Shannon Lotthammer (MPCA) Jeff J Smith(MPCA)	Email	Attorney communication with agency personnel	Attorney Client Communication Attorney Work Product	Privilege disputed (new 11-26)

EXHIBIT 2

1168	11/9/2018	Melissa Kuskie (MPCA)	Michelle Beeman (MPCA) Bill Sierks (MPCA) Shannon Lotthammer (MPCA)	Email	Communication from agency personnel to attorney	Attorney Client Communication Attorney Work Product	Privilege disputed (new 11-26)
1169	8/16/2018	Jeff J Smith(MPCA)	Adonis Neblett (MPCA) Melissa Kuskie (MPCA) Michelle Beeman (MPCA) Jeff	Email Attachment - PDF	Communication from agency personnel to attorney	Attorney Client Communication	Privilege disputed (new 11-26)
1170	8/16/2018	Michelle Beeman (MPCA)	Jeff J Smith(MPCA) Jeff Stollenwerk (MPCA) Melissa Kuskie (MPCA) Bill Sierks (MPCA)	Email Attachment - Work Doc	Attorney communication with agency personnel	Attorney Client Communication Attorney Work Product	Privilege disputed (new 11-26)
1171	8/16/2018			Email	Attorney communication with agency	Attorney Client	Privilege disputed (new 11-26)
1172	8/16/2018			Email	Attorney communication with agency	Attorney Client	Privilege disputed (new 11-26)
1243	12/31/2018	Adonis Neblett (MPCA)	Shannon Lotthammer (MPCA) Jeff J Smith(MPCA) Jeff Udd (MPCA) Michael R. Schmidt (MPCA) Leslie Fredrickson (MPCA)	Email	Attorney communication with agency personnel	Attorney Client Communication	Privilege disputed (new 11-26)
1244	12/31/2018			Email	Attorney communication with agency	Attorney Client	Privilege disputed (new 11-26)
1245	12/31/2018	Adonis Neblett (MPCA)	Shannon Lotthammer (MPCA) Jeff Udd	Email Attachment	Attorney communication with agency personnel	Attorney Client Communication	Privilege disputed (new 11-26)
1246	11/28/2018	John Stine (MPCA)	Adonis Neblett (MPCA) Greta Gauthier (MPCA) Dave Verhasselt (MPCA) Shannon Lotthammer (MPCA) Bill Sierks (MPCA)]	Email	Communication from agency personnel to attorney	Attorney Client Communication	Privilege disputed (new 11-26)
1247	11/9/2018	Melissa Kuskie (MPCA)	Michelle Beeman (MPCA) Bill Sierks (MPCA) Shannon Lotthammer (MPCA)	Email	Communication from agency personnel to attorney	Attorney Client Communication Attorney Work Product	Privilege disputed (new 11-26)
1248	10/17/2018	CoriAhna Rude-Young	Dave Verhasselt (MPCA)	Email	Forwarding attorney communication and	Attorney Client	Privilege disputed (new 11-26)
1249	8/16/2018	Jeff J Smith(MPCA)	Adonis Neblett (MPCA) Melissa Kuskie (MPCA) Michelle Beeman (MPCA) Jeff Stollenwerk (MPCA) Bill Sierks (MPCA) Shannon Lotthammer (MPCA) John Stine (MPCA)	Email	Communication from agency personnel to attorney	Attorney Client Communication Attorney Work Product	Privilege disputed (new 11-26)
1250	5/31/2018	Michael R. Schmidt	Shannon Lotthammer	Email	Attorney communication with agency	Attorney Client	Privilege disputed (new 11-26)
1251	2/15/2018	Michell Ooley (MPCA)	John Stine (MPCA) Shannon Lotthammer (MPCA) Jeff J Smith(MPCA) Jeff Udd (MPCA) Mark Schmitt (MPCA) Adonis Neblett (MPCA) Stephanie Handeland (MPCA) Michelle Beeman (MPCA) Kirk Koudelka (MPCA) Jean Coleman (MPCA) Brandon E Smith (MPCA) Erik Smith	Email	Communication between MPCA personnel	Attorney Client Communication Attorney Work Product	Privilege disputed (new 11-26)
1252	2/15/2018			Email	Attorney communication with agency	Attorney Client	Privilege disputed (new 11-26)
1253	2/15/2018	Michell Ooley (MPCA)	John Stine (MPCA) Shannon Lotthammer (MPCA) David J Benke (MPCA) Jeff Stollenwerk (MPCA) Mark Schmitt (MPCA) Jen Oknich (MPCA) Adonis Neblett (MPCA) Michelle Beeman (MPCA) Kirk Koudelka (MPCA) Jean Coleman (MPCA)	Email	Communication from agency personnel to attorney	Attorney Client Communication Attorney Work Product	Privilege disputed (new 11-26)
1254	2/15/2018	Adonis Neblett (MPCA)	Hearing Team and Commissioner Review Team Members	Email Attachment - Word Doc	Attorney communication with agency personnel	Attorney Client Communication Attorney Work Product	Privilege disputed (new 11-26)

In the Matter of the Denial of Contested Case Hearing Requests and Issuance of National Pollutant Discharge Elimination System/State Disposal System Permit #MN0071013 for the Proposed NorthMet Project, St. Louis County, Hoyt Lakes, and Babbitt, MN
Court File No. 62-cv-19-4626

Second Updated Respondent Minnesota Pollution Control Agency Privilege Log - Withheld Documents

Doc No.	Date	Author	Recipient(s)	File Type	Description	Privilege Claim
1	6/20/2019	Laura Bishop (MPCA)	Adonis Neblett (MPCA) Jeff Udd (MPCA) Peter Tester (MPCA) Richard Clark (MPCA) Katrina Kessler (MPCA) Darin Broton (MPCA)	Email	Attorney communication with MPCA general counsel	Attorney Client Communication Attorney Work Product
2	6/20/2019	Adonis Neblett (MPCA)	Laura Bishop (MPCA) Jeff Udd (MPCA) Peter Tester (MPCA) Richard Clark (MPCA) Katrina Kessler (MPCA) Darin Broton (MPCA)	Email	Attorney communication with MPCA general counsel	Attorney Client Communication Attorney Work Product
3	7/9/2019	Rich Schwartz	Richard Clark (MPCA)	Email	Attorney communication with outside counsel	Attorney Client Communication Attorney Work Product
4	7/10/2019	Rich Schwartz	Richard Clark (MPCA) Adonis Neblett (MPCA)	Email	Attorney communication with outside counsel	Attorney Client Communication Attorney Work Product
5	6/13/2019	Rich Schwartz	Richard Clark (MPCA) Jeff Udd (MPCA) Timothy Bagshaw Adonis Neblett (MPCA)	Email	Attorney Work Product regarding permit appeal	Attorney Client Communication Attorney Work Product
6	7/22/2019	Rich Schwartz	Richard Clark (MPCA)	Email	Attorney communication with outside counsel	Attorney Client Communication Attorney Work Product
7	7/10/2019	Rich Schwartz	Richard Clark (MPCA) Jeff Udd (MPCA)	Email	Attorney Work Product regarding permit appeal	Attorney Client Communication Attorney Work Product
8	6/13/2019	Richard Clark (MPCA)	Stephanie Handeland (MPCA)	Email	Work Product prepared at request of counsel	Attorney Client Communication Attorney Work Product
9	6/13/2019			Email Attachment - Word Doc	Work Product prepared at request of counsel	Attorney Client Communication Attorney Work Product

10	6/13/2019	Richard Clark (MPCA)	Jeff Udd (MPCA) Rich Schwartz Timothy Bagshaw Adonis Neblett (MPCA)	Email	Attorney communication with MPCA general counsel	Attorney Client Communication Attorney Work Product
11	7/22/2019	Richard Clark (MPCA)	Rich Schwartz	Email	Attorney communication with outside counsel	Attorney Client Communication Attorney Work Product
12	7/18/2019	Richard Clark (MPCA)	Katrina Kessler (MPCA) Jeff Udd (MPCA)	Email	Work Product prepared at request of counsel	Attorney Client Communication Attorney Work Product
13	7/18/2019			Email Attachment - Word Doc	Work Product prepared at request of counsel	Attorney Client Communication Attorney Work Product
14	6/18/2019	Richard Clark (MPCA)	Stephanie Handeland (MPCA)	Email	Work Product prepared at request of counsel	Attorney Client Communication Attorney Work Product
15	6/18/2019			Email Attachment - Word Doc	Work Product prepared at request of counsel	Attorney Client Communication Attorney Work Product
16	6/17/2019	Richard Clark (MPCA)	Adonis Neblett (MPCA)	Email	Attorney Work Product regarding permit appeal	Attorney Client Communication Attorney Work Product
17	7/5/2019	Adonis Neblett (MPCA)	Richard Clark (MPCA) Stephanie Handeland (MPCA) Jeff Udd (MPCA) Deborah Klooz (MPCA) Darin Broton (MPCA)	Email	Attorney communication with MPCA general counsel	Attorney Client Communication Attorney Work Product
18	7/5/2019	Adonis Neblett (MPCA)	Richard E. Schwartz Susan M. Mathiascheck Richard Clark (MPCA) Jeff Udd (MPCA)	Email	Attorney communication with outside counsel	Attorney Client Communication Attorney Work Product
19	7/5/2019			Email Attachment - Word Doc	Work Product prepared at request of counsel	Attorney Client Communication
20	6/17/2019	Richard Clark (MPCA)	Adonis Neblett (MPCA) Jeff Udd (MPCA)	Email	Attorney Work Product regarding permit appeal	Attorney Client Communication Attorney Work Product
21	6/17/2019			Email Attachment - Word Doc	Attorney Work Product regarding permit appeal	Attorney Client Communication Attorney Work Product

22	6/17/2019			Email Attachment - Word Doc	Attorney Work Product regarding permit appeal	Attorney Client Communication Attorney Work Product
23	6/18/2019	Peter Tester (MPCA)	Richard Clark (MPCA) Katrina Kessler (MPCA) Adonis Neblett (MPCA)	Email	Attorney Work Product regarding permit appeal	Attorney Client Communication Attorney Work Product
24	6/26/2019	Richard Clark (MPCA)	Adonis Neblett (MPCA)	Email	Attorney communication with MPCA general counsel	Attorney Client Communication Attorney Work Product
25	6/26/2019	Richard Clark (MPCA)	Adonis Neblett (MPCA)	Email	Attorney communication with MPCA general counsel	Attorney Client Communication Attorney Work Product
26	7/10/2019	Richard Clark (MPCA)	Rich Schwartz Jeff Udd (MPCA)	Email	Attorney Work Product regarding permit appeal	Attorney Client Communication Attorney Work Product
27	7/10/2019	Rich Schwartz	Richard Clark (MPCA) Jeff Udd (MPCA)	Email	Attorney Work Product regarding permit appeal	Attorney Client Communication Attorney Work Product
28	6/15/2019	Richard Clark (MPCA)	Greta Gauthier (MPCA)	Email	Work Product prepared at request of counsel	Attorney Client Communication Attorney Work Product
29	6/14/2019	Richard Clark (MPCA)	Stephanie Handeland (MPCA)	Email	Work Product prepared at request of counsel	Attorney Client Communication Attorney Work Product
30	6/14/2019			Email Attachment - Word Doc	Work Product prepared at request of counsel	Attorney Client Communication Attorney Work Product
31	7/24/2019	Rich Schwartz	Adonis Neblett (MPCA) Richard Clark (MPCA) Jeff Udd (MPCA) Susan M. Mathiascheck John C. Martin	Email	Attorney Work Product regarding permit appeal	Attorney Client Communication Attorney Work Product
32	7/10/2019	Richard Clark (MPCA)	Rich Schwartz Jeff Udd (MPCA)	Email	Attorney Work Product regarding permit appeal	Attorney Client Communication Attorney Work Product
33	6/19/2019	Adonis Neblett (MPCA)	Richard Clark (MPCA) Rich Schwartz	Email	Attorney communication with MPCA general counsel	Attorney Client Communication Attorney Work Product
34	8/16/2019	Richard Clark (MPCA)	Adonis Neblett (MPCA) Jeff Udd (MPCA) CoriAhna Rude-Young (MPCA)	Email	Attorney communication with MPCA general counsel	Attorney Client Communication Attorney Work Product

35	8/16/2019			Email Attachment - Word Doc	Attorney communication with MPCA general counsel	Attorney Client Communication Attorney Work Product
36	6/18/2019	Peter Tester (MPCA)	Richard Clark (MPCA)	Email	Work Product prepared at request of counsel	Attorney Client Communication Attorney Work Product
37	6/26/2019	Jeff Udd (MPCA)	Adonis Neblett (MPCA) Richard Clark (MPCA)	Email	Attorney communication with MPCA general counsel	Attorney Client Communication Attorney Work Product
38	6/26/2019	Adonis Neblett (MPCA)	Jeff Udd (MPCA) Richard Clark (MPCA)	Email	Attorney communication with MPCA general counsel	Attorney Client Communication Attorney Work Product
39	3/17/2017	Scott Kyser (MPCA) Michael R Schmidt (MPCA)		PDF	Attorney client privileged communication to receive legal advice	Attorney Client Communication Attorney Work Product
40	6/17/2019	Adonis Neblett (MPCA)	Richard Clark (MPCA)	Email	Attorney Work Product regarding permit appeal	Attorney Client Communication Attorney Work Product
41	7/5/2019	Adonis Neblett (MPCA)	Richard Clark (MPCA) Stephanie Handeland (MPCA) Jeff Udd (MPCA) Deborah Klooz (MPCA) Darin Broton (MPCA)	Email	Attorney communication with MPCA general counsel	Attorney Client Communication Attorney Work Product
42	7/4/2019	Adonis Neblett (MPCA)	Richard E. Schwartz Richard Clark (MPCA) Jeff Udd (MPCA) Susan M. Mathiascheck	Email	Attorney communication with outside counsel	Attorney Client Communication Attorney Work Product
43	7/4/2019			Email Attachment	Attorney communication with outside counsel	Attorney Client Communication
44	7/4/2019			Email Attachment	Attorney communication with outside counsel	Attorney Client Communication
45	7/4/2019			Email Attachment	Attorney communication with outside counsel	Attorney Client Communication
46	7/4/2019			Email Attachment	Attorney communication with outside counsel	Attorney Client Communication
47	7/4/2019			Email Attachment	Attorney communication with outside counsel	Attorney Client Communication
48	7/4/2019			JPG	Attorney Work Product regarding permit appeal	Attorney Client Communication
49	7/4/2019			JPG	Attorney communication with outside counsel	Attorney Client Communication

50	6/18/2019	Richard Clark (MPCA)	Peter Tester (MPCA) Katrina Kessler (MPCA) Adonis Neblett (MPCA) Rich Schwartz Jeff Udd (MPCA) Stephanie Handeland (MPCA)	Email	Attorney Work Product regarding permit appeal	Attorney Client Communication Attorney Work Product
51	6/18/2019			Email Attachment - Word Doc	Attorney Work Product regarding permit appeal	Attorney Client Communication Attorney Work Product
52	7/10/2019	Rich Schwartz	Jeff Udd (MPCA) Richard Clark (MPCA)	Email	Attorney Work Product regarding permit appeal	Attorney Client Communication Attorney Work Product
53	6/14/2019	Stephanie Handeland (MPCA)	Richard Clark (MPCA)	Email	Work Product prepared at request of counsel	Attorney Client Communication Attorney Work Product
54	6/14/2019			Email Attachment - Word Doc	Work Product prepared at request of counsel	Attorney Client Communication Attorney Work Product
55	6/13/2019	Stephanie Handeland (MPCA)	Richard Clark (MPCA)	Email	Work Product prepared at request of counsel	Attorney Client Communication Attorney Work Product
56	6/13/2019			Email Attachment - Word Doc	Work Product prepared at request of counsel	Attorney Client Communication Attorney Work Product
57	6/17/2019	Richard Clark (MPCA)	Jeff Udd (MPCA)	Email	Work Product prepared at request of counsel	Attorney Client Communication Attorney Work Product
58	6/17/2019			Email Attachment - Word Doc	Work Product prepared at request of counsel	Attorney Client Communication Attorney Work Product
59	7/24/2019	Adonis Neblett (MPCA)	Richard Clark (MPCA) Rich Schwartz Jeff Udd (MPCA) Susan M. Mathiascheck John C. Martin	Email	Attorney Work Product regarding permit appeal	Attorney Client Communication Attorney Work Product
60	7/24/2019			Email Attachment - PDF	Attorney Work Product regarding permit appeal	Attorney Client Communication
61	6/18/2019	Stephanie Handeland (MPCA)	Richard Clark (MPCA)	Email	Work Product prepared at request of counsel	Attorney Client Communication Attorney Work Product

62	6/18/2019			Email Attachment - Word Doc	Work Product prepared at request of counsel	Attorney Client Communication Attorney Work Product
63	6/20/2019	Rich Schwartz	Richard Clark (MPCA)	Email	Attorney communication with outside counsel	Attorney Client Communication Attorney Work Product
64	7/4/2019	Adonis Neblett (MPCA)	Richard E. Schwartz Richard Clark (MPCA) Jeff Udd (MPCA) Susan M. Mathiascheck	Email	Attorney communication with outside counsel	Attorney Client Communication Attorney Work Product
65	7/4/2019			Email Attachment	Attorney communication with outside counsel	Attorney Client Communication Attorney Work Product
66	7/4/2019			Email Attachment	Attorney communication with outside counsel	Attorney Client Communication Attorney Work Product
67	7/4/2019			Email Attachment	Attorney communication with outside counsel	Attorney Client Communication Attorney Work Product
68	7/4/2019			Email Attachment	Attorney communication with outside counsel	Attorney Client Communication Attorney Work Product
69	7/4/2019			Email Attachment	Attorney communication with outside counsel	Attorney Client Communication Attorney Work Product
70	7/4/2019			Email Attachment	Attorney communication with outside counsel	Attorney Client Communication Attorney Work Product
71	7/4/2019			Email Attachment	Attorney communication with outside counsel	Attorney Client Communication Attorney Work Product
72	7/4/2019			Email Attachment	Attorney communication with outside counsel	Attorney Client Communication Attorney Work Product
73	7/4/2019			Email Attachment	Attorney communication with outside counsel	Attorney Client Communication Attorney Work Product
74	7/4/2019			JPG	Attorney communication with outside counsel	Attorney Client Communication Attorney Work Product

75	7/4/2019			JPG	Attorney communication with outside counsel	Attorney Client Communication Attorney Work Product
76	7/4/2019			JPG	Attorney communication with outside counsel	Attorney Client Communication
77	6/28/2019	Katrina Kessler (MPCA)	Jeff Udd (MPCA) Mary Connor (MPCA) Richard Clark (MPCA)	Email	Work Product prepared at request of counsel	Attorney Client Communication Attorney Work Product
78	6/28/2019			Email Attachment - Word Doc	Work Product prepared at request of counsel	Attorney Client Communication Attorney Work Product
79	Non-Responsive document removed from Privilege Log					
80	6/17/2019	Richard Clark (MPCA)	Jeff Udd (MPCA)	Email	Forwarding attorney-client communication from Adonis Neblett	Attorney Client Communication Attorney Work Product
81	6/18/2019	Richard Clark (MPCA)	Peter Tester (MPCA) Adonis Neblett (MPCA)	Email	Attorney Work Product regarding permit appeal	Attorney Client Communication Attorney Work Product
82	6/18/2019			Email Attachment - Word Doc	Attorney Work Product regarding permit appeal	Attorney Client Communication Attorney Work Product
83	6/18/2019			Email Attachment - Word Doc	Attorney Work Product regarding permit appeal	Attorney Client Communication Attorney Work Product
84	6/18/2019	Adonis Neblett (MPCA)	Richard Clark (MPCA)	Email	Attorney communication with MPCA general counsel	Attorney Client Communication Attorney Work Product
85	7/17/2019	Richard Clark (MPCA)	Rich Schwartz	Email	Attorney communication with outside counsel	Attorney Client Communication Attorney Work Product
86	7/17/2019			Email Attachment - PDF	Attorney communication with outside counsel	Attorney Client Communication
87	8/30/2019	Richard Clark (MPCA)	Rich Schwartz	Email	Attorney communication with outside counsel	Attorney Client Communication Attorney Work Product
88	8/30/2019			Email Attachment - PDF	Attorney communication with outside counsel	Attorney Client Communication
89	6/28/2019	Richard Clark (MPCA)	Katrina Kessler (MPCA) Jeff Udd (MPCA) Mary Connor (MPCA)	Email	Forwarding attorney-client communication from Adonis Neblett	Attorney Client Communication Attorney Work Product

90	6/28/2019			Email Attachment - Word Doc	Work Product prepared at request of counsel	Attorney Client Communication Attorney Work Product
91	7/2/2019	Mary Connor (MPCA)	Richard Clark (MPCA)	Email	Forwarding attorney-client communication from Adonis Neblett	Attorney Client Communication Attorney Work Product
92	DOCUMENT REMOVED FROM PRIVILEGE LOG - PRODUCED 11/20/2019					
93	DOCUMENT REMOVED FROM PRIVILEGE LOG - PRODUCED 11/20/2019					
94	DOCUMENT REMOVED FROM PRIVILEGE LOG - PRODUCED 11/20/2019					
95	DOCUMENT REMOVED FROM PRIVILEGE LOG - PRODUCED 11/20/2019					
96	7/17/2019	Richard Clark (MPCA)	Stephanie Handeland (MPCA)	Email	Work Product prepared at request of counsel	Attorney Work Product
97	7/17/2019			Email Attachment - Word Doc	Work Product prepared at request of counsel	Attorney Client Communication Attorney Work Product
98	7/10/2019	Rich Schwartz	Jeff Udd (MPCA) Richard Clark (MPCA)	Email	Attorney Work Product regarding permit appeal	Attorney Client Communication Attorney Work Product
99	7/16/2019	Adonis Neblett (MPCA)	Richard Clark (MPCA) Jeff Udd (MPCA) Darin Broton (MPCA)	Email	Attorney communication with MPCA general counsel	Attorney Client Communication Attorney Work Product
100	7/16/2019			Email Attachment - PDF	Attorney communication with MPCA general counsel	Attorney Client Communication Attorney Work Product
101	8/15/2019	Adonis Neblett (MPCA)	CoriAhna Rude-Young (MPCA) Darin Broton (MPCA) Richard Clark (MPCA) Jeff Udd (MPCA)	Email	Attorney communication with MPCA general counsel	Attorney Client Communication Attorney Work Product
102	6/26/2019	Adonis Neblett (MPCA)	Jeff Udd (MPCA) Richard Clark (MPCA)	Email	Attorney communication with MPCA general counsel	Attorney Client Communication Attorney Work Product
103	6/20/2019	Adonis Neblett (MPCA)	Laura Bishop (MPCA) Peter Tester (MPCA) Darin Broton (MPCA) Katrina Kessler (MPCA) Jeff Udd (MPCA) Richard Clark (MPCA)	Email	Attorney Work Product regarding permit appeal	Attorney Client Communication Attorney Work Product
104	6/20/2019			Email Attachment - Word Doc	Attorney Work Product regarding permit appeal	Attorney Client Communication Attorney Work Product

105	7/9/2019	Richard Clark (MPCA)	Rich Schwartz	Email	Attorney communication with outside counsel	Attorney Client Communication Attorney Work Product
106	7/10/2019	Richard Clark (MPCA)	Rich Schwartz Adonis Neblett (MPCA)	Email	Attorney communication with outside counsel	Attorney Client Communication Attorney Work Product
107	7/16/2019	Adonis Neblett (MPCA)	Darin Broton (MPCA) Laura Bishop (MPCA) Peter Tester (MPCA) Katrina Kessler (MPCA) Greta Gauthier (MPCA)	Email	Attorney communication with MPCA general counsel	Attorney Client Communication Attorney Work Product
108	7/5/2019	Richard Clark (MPCA)	Adonis Neblett (MPCA) Stephanie Handeland (MPCA) Jeff Udd (MPCA) Deborah Klooz (MPCA) Darin Broton (MPCA)	Email	Attorney communication with MPCA general counsel	Attorney Client Communication Attorney Work Product
109	7/17/2019	Peter Tester (MPCA)	Katrina Kessler (MPCA) Laura Bishop (MPCA) Darin Broton (MPCA) Richard Clark (MPCA) Adonis Neblett (MPCA)	Email	Attorney communication with MPCA general counsel	Attorney Client Communication Attorney Work Product
110	7/17/2019	Katrina Kessler (MPCA)	Peter Tester (MPCA) Laura Bishop (MPCA) Darin Broton (MPCA) Richard Clark (MPCA) Adonis Neblett (MPCA)	Email	Attorney communication with MPCA general counsel	Attorney Client Communication Attorney Work Product
111	7/16/2019	Peter Tester (MPCA)	Laura Bishop (MPCA) Darin Broton (MPCA) Richard Clark (MPCA) Adonis Neblett (MPCA) Katrina Kessler (MPCA)	Email	Attorney communication with MPCA general counsel	Attorney Client Communication Attorney Work Product
112	7/16/2019	Laura Bishop (MPCA)	Darin Broton (MPCA) Richard Clark (MPCA) Peter Tester (MPCA) Adonis Neblett (MPCA) Katrina Kessler (MPCA)	Email	Attorney communication with MPCA general counsel	Attorney Client Communication Attorney Work Product
113	7/16/2019	Darin Broton (MPCA)	Laura Bishop (MPCA) Richard Clark (MPCA) Peter Tester (MPCA) Adonis Neblett (MPCA) Katrina Kessler (MPCA)	Email	Attorney communication with MPCA general counsel	Attorney Client Communication Attorney Work Product

114	7/16/2019	Laura Bishop (MPCA)	Darin Broton (MPCA) Richard Clark (MPCA) Peter Tester (MPCA) Adonis Neblett (MPCA) Katrina Kessler (MPCA)	Email	Attorney communication with MPCA general counsel	Attorney Client Communication Attorney Work Product
115	7/17/2019	Katrina Kessler (MPCA)	Peter Tester (MPCA) Laura Bishop (MPCA) Darin Broton (MPCA) Richard Clark (MPCA) Adonis Neblett (MPCA)	Email	Attorney communication with MPCA general counsel	Attorney Client Communication Attorney Work Product
116	DOCUMENT REMOVED FROM PRIVILEGE LOG - PRODUCED 11/20/2019					
117	DOCUMENT REMOVED FROM PRIVILEGE LOG - PRODUCED 11/20/2019					
118	Non-Responsive document removed from Privilege Log					
119	7/17/2019	Katrina Kessler (MPCA)	Charles Sutton (GOV) Laura Bishop (MPCA) Adonis Neblett (MPCA) Richard Clark (MPCA) Darin Broton (MPCA)	Email	Attorney communication with MPCA general counsel	Attorney Client Communication Attorney Work Product
120	7/16/2019	Darin Broton (MPCA)	Richard Clark (MPCA) Laura Bishop (MPCA) Peter Tester (MPCA) Adonis Neblett (MPCA) Katrina Kessler (MPCA)	Email	Attorney communication with MPCA general counsel	Attorney Client Communication Attorney Work Product
121	7/16/2019			Email Attachment - Word Doc	Attorney communication with MPCA general counsel	Attorney Client Communication Attorney Work Product
122	DOCUMENT REMOVED FROM PRIVILEGE LOG - PRODUCED 11/20/2019					
123	DOCUMENT REMOVED FROM PRIVILEGE LOG - PRODUCED 11/20/2019					
124	DOCUMENT REMOVED FROM PRIVILEGE LOG - PRODUCED 11/20/2019					
125	DOCUMENT REMOVED FROM PRIVILEGE LOG - PRODUCED 11/20/2019					
126	DOCUMENT REMOVED FROM PRIVILEGE LOG - PRODUCED 11/20/2019					
127	DOCUMENT REMOVED FROM PRIVILEGE LOG - PRODUCED 11/20/2019					
128	6/13/2019	Katrina Kessler (MPCA)	Richard Clark (MPCA)	Email	Forwarding a/c privileged communication to Adonis Neblett seeking advice of counsel	Attorney Work Product
129	7/17/2019	Richard Clark (MPCA)	Katrina Kessler (MPCA) Darin Broton (MPCA)	Email	Work Product prepared at request of counsel	Attorney Work Product
130	7/17/2019			Email Attachment - Word Doc	Work Product prepared at request of counsel	Attorney Work Product

131	7/17/2019	Richard Clark (MPCA)	Darin Broton (MPCA) Adonis Neblett (MPCA) Peter Tester (MPCA) Katrina Kessler (MPCA) Laura Bishop (MPCA)	Email	Attorney communication with MPCA general counsel	Attorney Client Communication Attorney Work Product
132	7/17/2019			Email Attachment - Word Doc	Attorney communication with MPCA general counsel	Attorney Client Communication Attorney Work Product
133	DOCUMENT REMOVED FROM PRIVILEGE LOG - PRODUCED 11/20/2019					
134	DOCUMENT REMOVED FROM PRIVILEGE LOG - PRODUCED 11/20/2019					
135	DOCUMENT REMOVED FROM PRIVILEGE LOG - PRODUCED 11/20/2019					
136	7/17/2019	Richard Clark (MPCA)	Katrina Kessler (MPCA) Darin Broton (MPCA)	Email	Work Product prepared at request of counsel	Attorney Work Product
137	7/17/2019			Email Attachment - Word Doc	Work Product prepared at request of counsel	Attorney Work Product
138	7/2/2019	Mary Connor (MPCA)	Katrina Kessler (MPCA) Richard Clark (MPCA) Darin Broton (MPCA)	Email	Work Product prepared at request of counsel	Attorney Work Product
139	7/2/2019			Email Attachment - Word Doc	Work Product prepared at request of counsel	Attorney Work Product
140	DOCUMENT REMOVED FROM PRIVILEGE LOG - PRODUCED 11/20/2019					
141	7/17/2019	Katrina Kessler (MPCA)	Adonis Neblett (MPCA) Darin Broton (MPCA) Richard Clark (MPCA)	Email	Attorney communication with MPCA general counsel	Attorney Client Communication Attorney Work Product
142	7/17/2019			Email Attachment - Word Doc	Attorney communication with MPCA general counsel	Attorney Client Communication
143	7/17/2019	Katrina Kessler (MPCA)	Richard Clark (MPCA) Darin Broton (MPCA)	Email	Work Product prepared at request of counsel	Attorney Work Product
144	7/17/2019			Email Attachment - Word Doc	Work Product prepared at request of counsel	Attorney Work Product
145	7/17/2019	Katrina Kessler (MPCA)	Adonis Neblett (MPCA) Darin Broton (MPCA) Richard Clark (MPCA)	Email	Attorney communication with MPCA general counsel	Attorney Client Communication Attorney Work Product
146	7/3/2019	Richard Clark (MPCA)	Mary Connor (MPCA) Katrina Kessler (MPCA) Darin Broton (MPCA)	Email	Work Product prepared at request of counsel	Attorney Client Communication Attorney Work Product
147	7/3/2019			Email Attachment - Word Doc	Work Product prepared at request of counsel	Attorney Client Communication Attorney Work Product
148	DOCUMENT REMOVED FROM PRIVILEGE LOG - PRODUCED 11/20/2019					
149	DOCUMENT REMOVED FROM PRIVILEGE LOG - PRODUCED 11/20/2019					
150	DOCUMENT REMOVED FROM PRIVILEGE LOG - PRODUCED 11/20/2019					

151	DOCUMENT REMOVED FROM PRIVILEGE LOG - PRODUCED 11/20/2019					
152	DOCUMENT REMOVED FROM PRIVILEGE LOG - PRODUCED 11/20/2019					
153	DOCUMENT REMOVED FROM PRIVILEGE LOG - PRODUCED 12/10/2019 - MPCA(62-CV-19-4626)_020519					
154	DOCUMENT REMOVED FROM PRIVILEGE LOG - PRODUCED 12/10/2019 - MPCA(62-CV-19-4626)_020520					
155	DOCUMENT REMOVED FROM PRIVILEGE LOG - PRODUCED 11/20/2019					
156	DOCUMENT REMOVED FROM PRIVILEGE LOG - PRODUCED 11/20/2019					
157	DOCUMENT REMOVED FROM PRIVILEGE LOG - PRODUCED 11/20/2019					
158	DOCUMENT REMOVED FROM PRIVILEGE LOG - PRODUCED 11/20/2019					
159	6/21/2019	Darin Broton (MPCA)	Laura Bishop (MPCA) Peter Tester (MPCA) Adonis Neblett (MPCA) Katrina Kessler (MPCA) Greta Gauthier (MPCA) Richard Clark (MPCA) Jeff Udd (MPCA)	Email	Attorney communication with MPCA general counsel	Attorney Client Communication Attorney Work Product
160	DOCUMENT REMOVED FROM PRIVILEGE LOG - PRODUCED 11/20/2019					
161	DOCUMENT REMOVED FROM PRIVILEGE LOG - PRODUCED 11/20/2019					
162	DOCUMENT REMOVED FROM PRIVILEGE LOG - PRODUCED 11/20/2019					
163	DOCUMENT REMOVED FROM PRIVILEGE LOG - PRODUCED 11/20/2019					
164	DOCUMENT REMOVED FROM PRIVILEGE LOG - PRODUCED 11/20/2019					
165	DOCUMENT REMOVED FROM PRIVILEGE LOG - PRODUCED 11/20/2019					
166	9/23/2019	Stephanie Handeland (MPCA)	Adonis Neblett (MPCA) Richard Clark (MPCA) Jeff Udd (MPCA) Rich Schwartz John C. Martin Susan M. Mathiascheck	Email	Attorney communication with agency personnel	Attorney Client Communication Attorney Work Product
167	9/16/2019	Adonis Neblett (MPCA)	John C. Martin Rich Schwartz Susan M. Mathiascheck	Email	Attorney communication with outside counsel	Attorney Client Communication Attorney Work Product
168	8/20/2019	Adonis Neblett (MPCA)	Rich Schwartz Susan M. Mathiascheck John C. Martin	Email	Attorney communication with outside counsel	Attorney Client Communication Attorney Work Product
169	8/8/2019	John C. Martin	Rich Schwartz Adonis Neblett (MPCA) Susan M. Mathiascheck	Email	Attorney communication with outside counsel	Attorney Client Communication Attorney Work Product

170	8/2/2019	Adonis Neblett (MPCA)	Rich Schwartz John C. Martin Susan M. Mathiascheck	Email	Attorney communication with MPCA general counsel	Attorney Client Communication Attorney Work Product
171	7/28/2019	Adonis Neblett (MPCA)	John C. Martin Rich Schwartz Susan M. Mathiascheck	Email	Attorney communication with outside counsel	Attorney Client Communication Attorney Work Product
172	7/24/2019	Adonis Neblett (MPCA)	Richard Clark (MPCA) Rich Schwartz Jeff Udd (MPCA) Susan M. Mathiascheck John C. Martin	Email	Attorney communication with outside counsel	Attorney Client Communication Attorney Work Product
173	7/21/2019	Adonis Neblett (MPCA)	Susan M. Mathiascheck John C. Martin Rich Schwartz	Email	Attorney communication with outside counsel	Attorney Client Communication Attorney Work Product
174	7/11/2019	Adonis Neblett (MPCA)	Rich Schwartz Susan M. Mathiascheck John C. Martin	Email	Attorney communication with MPCA general counsel	Attorney Client Communication Attorney Work Product
175	7/11/2019			Email Attachment - PDF	Attorney communication with outside counsel	Attorney Client Communication Attorney Work Product
176	7/11/2019			Email Attachment - PDF	Attorney communication with outside counsel	Attorney Client Communication Attorney Work Product
177	7/10/2019	Adonis Neblett (MPCA)	Rich Schwartz Richard Clark (MPCA)	Email	Attorney communication with MPCA general counsel	Attorney Client Communication Attorney Work Product
178	7/10/2019	Richard Clark (MPCA)	Rich Schwartz Adonis Neblett (MPCA)	Email	Attorney communication with agency personnel	Attorney Client Communication Attorney Work Product
179	7/5/2019	Adonis Neblett (MPCA)	Rich Schwartz Susan M. Mathiascheck	Email	Attorney communication with MPCA general counsel	Attorney Client Communication Attorney Work Product
180	7/5/2019			Email Attachment - Word Doc	Attorney Work Product regarding permit development	Attorney Work Product
181	7/4/2019	Adonis Neblett (MPCA)	Rich Schwartz Richard Clark (MPCA) Jeff Udd (MPCA) Susan M. Mathiascheck	Email	Attorney communication with outside counsel	Attorney Client Communication Attorney Work Product

182	7/4/2019			JPG	Attorney Work Product regarding permit development	Attorney Client Communication Attorney Work Product
183	6/19/2019	Richard Clark (MPCA)	Rich Schwartz Adonis Neblett (MPCA)	Email	Attorney communication with MPCA general counsel	Attorney Client Communication Attorney Work Product
184	6/19/2019			Email Attachment - PDF	Attorney communication with MPCA general counsel	Attorney Client Communication
185	6/18/2019	John C. Martin	Rich Schwartz Adonis Neblett (MPCA) Timothy M. Bagshaw Susan M. Mathiascheck	Email	Attorney communication with MPCA general counsel	Attorney Client Communication Attorney Work Product
186	6/18/2019	Adonis Neblett (MPCA)	John C. Martin Timothy M. Bagshaw Rich Schwartz Susan M. Mathiascheck	Email	Attorney communication with outside counsel	Attorney Client Communication Attorney Work Product
187	6/18/2019	Richard Clark (MPCA)	Peter Tester (MPCA) Katrina Kessler (MPCA) Adonis Neblett (MPCA) Rich Schwartz Jeff Udd (MPCA)	Email	Communication between MPCA personnel	Attorney Client Communication Attorney Work Product
188	6/18/2019			Email Attachment - Word Doc	Attorney Work Product regarding permit development	Attorney Work Product
189	6/18/2019	Adonis Neblett (MPCA)	Rich Schwartz Timothy M. Bagshaw Susan M. Mathiascheck John C. Martin	Email	Attorney communication with MPCA general counsel	Attorney Client Communication Attorney Work Product
190	6/14/2019	Richard Clark (MPCA)	Adonis Neblett (MPCA) Rich Schwartz Jeff Udd (MPCA)	Email	Attorney communication with agency personnel	Attorney Client Communication Attorney Work Product
191	6/14/2019	Adonis Neblett (MPCA)	Rich Schwartz Timothy M. Bagshaw	Email	Attorney communication with outside counsel	Attorney Client Communication Attorney Work Product
192	6/14/2019	Adonis Neblett (MPCA)	Rich Schwartz Timothy M. Bagshaw Susan M. Mathiascheck	Email	Attorney communication with outside counsel	Attorney Client Communication Attorney Work Product

193	6/13/2019	Adonis Neblett (MPCA)	Rich Schwartz Timothy M. Bagshaw Susan M. Mathiascheck	Email	Attorney communication with outside counsel	Attorney Client Communication Attorney Work Product
194	6/13/2019	Adonis Neblett (MPCA)	Timothy M. Bagshaw John C. Martin Susan M. Mathiascheck Rich Schwartz	Email	Attorney communication with outside counsel	Attorney Client Communication Attorney Work Product
195	6/12/2019	Timothy M. Bagshaw	Mike Schmidt Rich Schwartz	Email	Attorney communication with MPCA general counsel	Attorney Client Communication Attorney Work Product
196	6/11/2019	Mike Schmidt	Rich Schwartz Timothy M. Bagshaw	Email	Attorney communication with MPCA general counsel	Attorney Client Communication Attorney Work Product
197	6/11/2019	Mike Schmidt	Rich Schwartz Timothy M. Bagshaw	Email	Attorney communication with MPCA general counsel	Attorney Client Communication Attorney Work Product
198	6/11/2019			Email Attachment - Word Doc	Attorney Work Product regarding permit appeal	Attorney Client Communication Attorney Work Product
199	6/11/2019	Shannon Lotthammer (DNR)	Rich Schwartz Timothy M. Bagshaw Stille, Corrine (DNR) Adonis Neblett (MPCA)	Email	Attorney communication with outside counsel	Attorney Client Communication Attorney Work Product
200	6/11/2019	Shannon Lotthammer (DNR)	Rich Schwartz Timothy M. Bagshaw Adonis Neblett (MPCA) Enzler, Sherry (DNR)	Email	Attorney communication with agency personnel	Attorney Client Communication Attorney Work Product
201	6/11/2019			Email Attachment - PDF	Attorney Work Product regarding permit appeal	Attorney Client Communication Attorney Work Product
202	6/11/2019	Mike Schmidt	Rich Schwartz Timothy Bagshaw	Email	Attorney Work Product regarding permit appeal	Attorney Client Communication Attorney Work Product
203	6/11/2019			Email Attachment - Word Doc	Attorney Work Product regarding permit appeal	Attorney Client Communication Attorney Work Product
204	6/7/2019	Timothy M. Bagshaw	Rich Schwartz Adonis A. Neblett	Email	Attorney Work Product regarding permit appeal	Attorney Client Communication Attorney Work Product

205	6/7/2019	Rich Schwartz	Timothy M. Bagshaw Adonis A. Neblett Rich Schwartz	Email	Attorney Work Product regarding permit appeal	Attorney Client Communication Attorney Work Product
206	6/7/2019			Email Attachment - Word Doc	Attorney Work Product regarding permit appeal	Attorney Client Communication Attorney Work Product
207	6/7/2019	Adonis Neblett (MPCA)	Rich Schwartz John C. Martin Susan M. Mathiascheck Timothy M. Bagshaw	Email	Attorney communication with outside counsel	Attorney Client Communication Attorney Work Product
208	5/31/2019	Susan M. Mathiascheck	Rich Schwartz Adonis Neblett (MPCA) Timothy M. Bagshaw John C. Martin	Email	Attorney communication with outside counsel	Attorney Client Communication Attorney Work Product
209	5/28/2019	Stephanie Handeland (MPCA)	Rich Schwartz Adonis Neblett (MPCA) Timothy M. Bagshaw	Email	Attorney communication with agency personnel	Attorney Client Communication Attorney Work Product
210	5/28/2019			Email Attachment - PDF	Attorney Work Product regarding permit appeal	Attorney Client Communication Attorney Work Product
211	5/28/2019	Stephanie Handeland (MPCA)	Rich Schwartz Adonis Neblett (MPCA) Timothy M. Bagshaw	Email	Attorney Work Product regarding permit appeal	Attorney Client Communication Attorney Work Product
212	5/28/2019			Email Attachment - Word Doc	Attorney Work Product regarding permit appeal	Attorney Client Communication Attorney Work Product
213	5/28/2019	Richard Clark (MPCA)	Rich Schwartz Timothy M. Bagshaw Adonis Neblett (MPCA) Jeff Udd (MPCA)	Email	Attorney Work Product regarding permit appeal	Attorney Client Communication Attorney Work Product
214	5/28/2019			Email Attachment - PDF	Attorney Work Product regarding permit appeal	Attorney Client Communication Attorney Work Product
215	5/28/2019	Richard Clark (MPCA)	Rich Schwartz Timothy M. Bagshaw Adonis Neblett (MPCA) Jeff Udd (MPCA)	Email	Attorney Work Product regarding permit appeal	Attorney Client Communication Attorney Work Product
216	5/28/2019			Email Attachment - PDF	Attorney Work Product regarding permit appeal	Attorney Client Communication Attorney Work Product

217	5/28/2019	Richard Clark (MPCA)	Rich Schwartz Adonis Neblett (MPCA) Timothy M. Bagshaw	Email	Attorney communication with agency personnel	Attorney Client Communication Attorney Work Product
218	5/22/2019	Adonis Neblett (MPCA)	Timothy M. Bagshaw Rich Schwartz Richard Clark (MPCA)	Email	Attorney communication with outside counsel	Attorney Client Communication Attorney Work Product
219	5/21/2019	Adonis Neblett (MPCA)	Rich Schwartz Timothy M. Bagshaw Susan M. Mathiascheck John C. Martin	Email	Attorney communication with outside counsel	Attorney Client Communication Attorney Work Product
220	3/22/2019	Timothy M. Bagshaw	Rich Schwartz Adonis Neblett (MPCA) Susan M. Mathiascheck Richard Clark (MPCA) John C. Martin	Email	Attorney communication with MPCA general counsel	Attorney Client Communication Attorney Work Product
221	3/14/2019	Susan M. Mathiascheck	Adonis Neblett (MPCA) Rich Schwartz Timothy M. Bagshaw	Email	Attorney communication with MPCA general counsel	Attorney Client Communication Attorney Work Product
222	2/5/2019	Adonis Neblett (MPCA)	Susan M. Mathiascheck Rich Schwartz Emily Schilling (H&H) John C. Martin Leslie Fredrickson(MPCA)	Email	Attorney communication with outside counsel	Attorney Client Communication Attorney Work Product
223	9/23/2019	Rich Schwartz	Adonis A. Neblett John C. Martin Susan M. Mathiascheck Bryson Smith	Email	Attorney communication with outside counsel	Attorney Client Communication Attorney Work Product
224	9/22/2019	Rich Schwartz	Adonis Neblett (MPCA) John C. Martin Susan M. Mathiascheck	Email	Attorney communication with MPCA general counsel	Attorney Client Communication Attorney Work Product
225	9/20/2019	Rich Schwartz	Adonis Neblett (MPCA) John C. Martin Susan M. Mathiascheck	Email	Attorney communication with MPCA general counsel	Attorney Client Communication Attorney Work Product

226	9/17/2019	Rich Schwartz	John C. Martin Susan M. Mathiascheck Bryson Smith Adonis A. Neblett	Email	Attorney communication with outside counsel	Attorney Client Communication Attorney Work Product
227	9/17/2019	Rich Schwartz	John C. Martin Susan M. Mathiascheck Bryson Smith Adonis A. Neblett	Email	Attorney communication with MPCA general counsel	Attorney Client Communication Attorney Work Product
228	9/16/2019	Rich Schwartz	Adonis Neblett (MPCA) John C. Martin Susan M. Mathiascheck	Email	Attorney communication with MPCA general counsel	Attorney Client Communication Attorney Work Product
229	9/16/2019	Rich Schwartz	Adonis Neblett (MPCA) John C. Martin Susan M. Mathiascheck	Email	Attorney communication with MPCA general counsel	Attorney Client Communication Attorney Work Product
230	9/16/2019	Rich Schwartz	Adonis Neblett (MPCA) John C. Martin Susan M. Mathiascheck	Email	Attorney communication with MPCA general counsel	Attorney Client Communication Attorney Work Product
231	8/8/2019	Rich Schwartz	John C. Martin Adonis Neblett (MPCA) Susan M. Mathiascheck Bryson C. Smith	Email	Attorney communication with outside counsel	Attorney Client Communication Attorney Work Product
232	8/2/2019	Rich Schwartz	Adonis Neblett (MPCA) John C. Martin Susan M. Mathiascheck	Email	Attorney communication with MPCA general counsel	Attorney Client Communication Attorney Work Product
233	8/2/2019	Rich Schwartz	Adonis Neblett (MPCA) John C. Martin Susan M. Mathiascheck	Email	Attorney communication with MPCA general counsel	Attorney Client Communication Attorney Work Product
234	7/28/2019	Rich Schwartz	Adonis Neblett (MPCA) John C. Martin Susan M. Mathiascheck	Email	Attorney communication with MPCA general counsel	Attorney Client Communication Attorney Work Product

235	7/25/2019	Rich Schwartz	Adonis A. Neblett John C. Martin Susan M. Mathiascheck State of Minnesota_NorthMet Project Email	Email	Attorney communication with MPCA general counsel	Attorney Client Communication Attorney Work Product
236	7/25/2019			Email Attachment - Word Doc	Attorney Work Product regarding permit appeal	Attorney Client Communication Attorney Work Product
237	7/24/2019	Rich Schwartz	Adonis Neblett (MPCA) Richard Clark (MPCA) Jeff Udd (MPCA) Susan M. Mathiascheck John C. Martin	Email	Attorney communication with MPCA general counsel	Attorney Client Communication Attorney Work Product
238	10/3/2019	Rich Schwartz	Richard Clark (MPCA) Jeff Udd	Email Attachment - Email	Attorney communication with agency personnel	Attorney Client Communication Attorney Work Product
239	7/10/2019	Rich Schwartz	Richard Clark (MPCA) Jeff Udd	Email	Attorney communication with agency personnel	Attorney Client Communication Attorney Work Product
240	7/10/2019	Rich Schwartz	Richard Clark (MPCA) Jeff Udd	Email	Attorney communication with agency personnel	Attorney Client Communication Attorney Work Product
241	6/19/2019	Rich Schwartz	Adonis A. Neblett Timothy M. Bagshaw John C. Martin Susan M. Mathiascheck	Email	Attorney communication with MPCA general counsel	Attorney Client Communication Attorney Work Product
242	6/19/2019	Rich Schwartz	Adonis A. Neblett Timothy M. Bagshaw John C. Martin Susan M. Mathiascheck	Email	Attorney communication with MPCA general counsel	Attorney Client Communication Attorney Work Product
243	6/19/2019	Rich Schwartz	Adonis A. Neblett Timothy M. Bagshaw John C. Martin Susan M. Mathiascheck	Email	Attorney communication with MPCA general counsel	Attorney Client Communication Attorney Work Product

244	6/18/2019	Rich Schwartz	Adonis Neblett (MPCA) John C. Martin Timothy M. Bagshaw Susan M. Mathiascheck	Email	Attorney communication with MPCA general counsel	Attorney Client Communication Attorney Work Product
245	10/3/2019	Rich Schwartz	Adonis Neblett (MPCA) Timothy M. Bagshaw Susan M. Mathiascheck John C. Martin	Email Attachment - Email	Attorney communication with MPCA general counsel	Attorney Client Communication Attorney Work Product
246	6/18/2019	Rich Schwartz	Adonis Neblett (MPCA) Timothy M. Bagshaw Susan M. Mathiascheck John C. Martin	Email	Attorney communication with MPCA general counsel	Attorney Client Communication Attorney Work Product
247	6/10/2019	Rich Schwartz	Timothy M. Bagshaw	Email	Attorney Work Product regarding permit appeal	Attorney Client Communication Attorney Work Product
248	6/10/2019			Email Attachment - Word Doc	Attorney Work Product regarding permit appeal	Attorney Client Communication Attorney Work Product
249	10/3/2019	Rich Schwartz	Shannon Lotthammer Timothy M. Bagshaw	Email Attachment - Email	Attorney Work Product regarding permit appeal	Attorney Client Communication Attorney Work Product
250	10/3/2019			Email Attachment - Word Doc	Attorney Work Product regarding permit appeal	Attorney Client Communication Attorney Work Product
251	6/10/2019	Rich Schwartz	Shannon Lotthammer Timothy M. Bagshaw	Email	Attorney Work Product regarding permit appeal	Attorney Client Communication Attorney Work Product
252	6/10/2019			Email Attachment - Word Doc	Attorney Work Product regarding permit appeal	Attorney Client Communication Attorney Work Product
253	6/10/2019	Rich Schwartz	Shannon Lotthammer Timothy M. Bagshaw	Email	Attorney Work Product regarding permit appeal	Attorney Client Communication Attorney Work Product
254	6/10/2019			Email Attachment - Word Doc	Attorney Work Product regarding permit appeal	Attorney Client Communication Attorney Work Product
255	6/7/2019	Rich Schwartz	Timothy M. Bagshaw Adonis A. Neblett Rich Schwartz	Email	Attorney communication with outside counsel	Attorney Client Communication Attorney Work Product

256	6/7/2019			Email Attachment - Word Doc	Attorney Work Product regarding permit appeal	Attorney Client Communication Attorney Work Product
257	10/3/2019	Rich Schwartz	Shannon Lotthammer Adonis A. Neblett Enzler, Sherry (DNR) John C. Martin Susan M. Mathiascheck	Email Attachment - Email	Attorney communication with agency personnel	Attorney Client Communication Attorney Work Product Joint Defense
258	10/3/2019	Rich Schwartz	Adonis A. Neblett John C. Martin Susan M. Mathiascheck Timothy M. Bagshaw	Email Attachment - Email	Attorney communication with MPCA general counsel	Attorney Client Communication Attorney Work Product
259	10/3/2019			Email Attachment - PDF	Attorney Work Product regarding permit appeal	Attorney Client Communication Attorney Work Product
260	10/3/2019	Rich Schwartz	Adonis A. Neblett John C. Martin Susan M. Mathiascheck Timothy M Bagshaw	Email Attachment - Email	Attorney communication with MPCA general counsel	Attorney Client Communication Attorney Work Product
261	10/3/2019			Email Attachment - PDF	Attorney Work Product regarding permit appeal	Attorney Client Communication Attorney Work Product
262	10/3/2019	Rich Schwartz	Adonis A. Neblett John C. Martin Susan M. Mathiascheck Timothy M Bagshaw	Email Attachment - Email	Attorney communication with MPCA general counsel	Attorney Client Communication Attorney Work Product
263	10/3/2019	Rich Schwartz	Michael R. Schmidt	Email Attachment - Email	Attorney communication with MPCA general counsel	Attorney Client Communication Attorney Work Product
264	10/3/2019	Rich Schwartz	Adonis A. Neblett John C. Martin Susan M. Mathiascheck Timothy M. Bagshaw	Email Attachment - Email	Attorney communication with MPCA general counsel	Attorney Client Communication Attorney Work Product
265	10/3/2019	Rich Schwartz	Adonis A. Neblett John C. Martin Susan M. Mathiascheck Timothy M. Bagshaw	Email Attachment - Email	Attorney communication with MPCA general counsel	Attorney Client Communication Attorney Work Product
266	10/3/2019	Rich Schwartz	Adonis A. Neblett John C. Martin Susan M. Mathiascheck Timothy M. Bagshaw	Email Attachment - Email	Attorney communication with MPCA general counsel	Attorney Client Communication Attorney Work Product

267	10/3/2019	Rich Schwartz	Richard Clark (MPCA) Adonis A. Neblett Timothy M. Bagshaw	Email Attachment - Email	Attorney communication with MPCA general counsel	Attorney Client Communication Attorney Work Product
268	10/3/2019			Email Attachment - Word Doc	Attorney Work Product regarding permit appeal	Attorney Client Communication Attorney Work Product
269	5/28/2019	Rich Schwartz	Richard Clark (MPCA) Adonis A. Neblett Timothy M. Bagshaw	Email	Attorney communication with agency personnel	Attorney Client Communication Attorney Work Product
270	5/28/2019			Email Attachment - Word Doc	Attorney Work Product regarding permit appeal	Attorney Client Communication Attorney Work Product
271	5/28/2019	Rich Schwartz	Stephanie Handeland Adonis A. Neblett Timothy M. Bagshaw	Email	Attorney communication with agency personnel	Attorney Client Communication Attorney Work Product
272	5/28/2019			Email Attachment - Word Doc	Attorney Work Product regarding permit appeal	Attorney Client Communication Attorney Work Product
273	5/28/2019	Rich Schwartz	Adonis A. Neblett Timothy M. Bagshaw	Email	Attorney communication with MPCA general counsel	Attorney Client Communication Attorney Work Product
274	5/28/2019			Email Attachment - Word Doc	Attorney Work Product regarding permit appeal	Attorney Client Communication Attorney Work Product
275	5/28/2019	Rich Schwartz	Adonis A. Neblett Timothy M. Bagshaw	Email	Attorney communication with MPCA general counsel	Attorney Client Communication Attorney Work Product
276	5/28/2019			Email Attachment - Word Doc	Attorney Work Product regarding permit appeal	Attorney Client Communication Attorney Work Product
277	5/28/2019	Rich Schwartz	Adonis A. Neblett Timothy M. Bagshaw	Email	Attorney communication with MPCA general counsel	Attorney Client Communication Attorney Work Product
278	5/28/2019			Email Attachment - Word Doc	Attorney Work Product regarding permit appeal	Attorney Client Communication Attorney Work Product
279	5/28/2019	Rich Schwartz	Jeff Udd Rich Schwartz	Email	Attorney communication with agency personnel	Attorney Client Communication Attorney Work Product
280	5/28/2019			Email Attachment - Word Doc	Attorney Work Product regarding permit appeal	Attorney Client Communication Attorney Work Product

281	5/28/2019	Rich Schwartz	Richard Clark (MPCA) Rich Schwartz	Email	Attorney communication with agency personnel	Attorney Client Communication Attorney Work Product
282	5/28/2019			Email Attachment - Word Doc	Attorney Work Product regarding permit appeal	Attorney Client Communication Attorney Work Product
283	5/24/2019	Rich Schwartz	Jeff Udd Timothy M. Bagshaw	Email	Attorney communication with agency personnel	Attorney Client Communication Attorney Work Product
284	5/24/2019			Email Attachment - Word Doc	Attorney Work Product regarding permit appeal	Attorney Client Communication Attorney Work Product
285	5/24/2019	Rich Schwartz	Jeff Udd Timothy M. Bagshaw	Email	Attorney communication with agency personnel	Attorney Client Communication Attorney Work Product
286	5/24/2019			Email Attachment - Word Doc	Attorney Work Product regarding permit appeal	Attorney Client Communication Attorney Work Product
287	5/24/2019	Rich Schwartz	Richard Clark (MPCA) Timothy M. Bagshaw	Email	Attorney communication with agency personnel	Attorney Client Communication Attorney Work Product
288	5/24/2019			Email Attachment - Word Doc	Attorney Work Product regarding permit appeal	Attorney Client Communication Attorney Work Product
289	10/3/2019	Rich Schwartz	Jeff Udd Timothy M. Bagshaw	Email Attachment - Email	Attorney communication with MPCA general counsel	Attorney Client Communication Attorney Work Product
290	10/3/2019			Email Attachment - Word Doc	Attorney Work Product regarding permit appeal	Attorney Client Communication Attorney Work Product
291	5/23/2019	Rich Schwartz	Jeff Udd Timothy M. Bagshaw	Email	Attorney communication with agency personnel	Attorney Client Communication Attorney Work Product
292	5/23/2019			Email Attachment - Word Doc	Attorney Work Product regarding permit appeal	Attorney Client Communication Attorney Work Product
293	5/23/2019	Rich Schwartz	Stephanie Handeland Timothy M. Bagshaw	Email	Attorney communication with agency personnel	Attorney Client Communication Attorney Work Product
294	5/23/2019			Email Attachment - Word Doc	Attorney Work Product regarding permit appeal	Attorney Client Communication Attorney Work Product

295	5/23/2019	Rich Schwartz	Richard Clark (MPCA) Timothy M. Bagshaw	Email	Attorney communication with MPCA general counsel	Attorney Client Communication Attorney Work Product
296	5/23/2019			Email Attachment - Word Doc	Attorney Work Product regarding permit appeal	Attorney Client Communication Attorney Work Product
297	10/3/2019	John Martin	Bordelon, Sarah Rich Schwartz	Email Attachment - Email	Attorney communication with agency personnel	Attorney Client Communication Attorney Work Product
298	10/3/2019	John Martin	Rich Schwartz Bordelon, Sarah	Email Attachment - Email	Attorney communication with agency personnel	Attorney Client Communication Attorney Work Product
299	1/15/2019	Michael R Schmidt (MPCA)	Shannon Lotthammer (MPCA) Jeff Udd (MPCA)	Email	Attorney communication with agency personnel	Attorney Client Communication Attorney Work Product
300	1/16/2019	Michael R Schmidt (MPCA)	Shannon Lotthammer (MPCA) Jeff Udd (MPCA) Adonis Neblett (MPCA)	Email	Attorney communication with agency personnel	Attorney Client Communication Attorney Work Product
301	DOCUMENT PRODUCED PER AGREEMENT (11/20/2019); RE-PRODUCED 12/10/2019 - MPCA(62-CV-19-4626)_020521					
302	DOCUMENT PRODUCED PER AGREEMENT (11/20/2019)					
303	10/13/2017			Word Doc	Attorney Work Product (Mike Schmidt) regarding permit development	Attorney Work Product
304	DOCUMENT REMOVED FROM PRIVILEGE LOG - PRODUCED 11/20/2019					
305	DOCUMENT REMOVED FROM PRIVILEGE LOG - PRODUCED 11/20/2019					
306	DOCUMENT REMOVED FROM PRIVILEGE LOG - PRODUCED 11/20/2019					
307	DOCUMENT REMOVED FROM PRIVILEGE LOG - PRODUCED 11/20/2019					
308	6/4/2018	Stephanie Handeland (MPCA)	Michael R. Schmidt Jeff Udd Richard Clark	PDF	Communication between MPCA personnel and Michael Schmidt to receive legal advice;	Attorney Client Communication Attorney Work Product
309	DOCUMENT REMOVED FROM PRIVILEGE LOG - PRODUCED 11/20/2019					
310	DOCUMENT REMOVED FROM PRIVILEGE LOG - PRODUCED 11/20/2019					
311	6/18/2019	Richard Clark (MPCA)	Jeff Udd (MPCA)	Word Doc	Communication forwarding attorney communication between MPCA personnel	Attorney Work Product
312	6/13/2019	Adonis Neblett (MPCA)	Timothy M. Bagshaw John C. Martin Susan M. Mathiascheck Rich Schwartz	Email	Attorney communication with outside counsel	Attorney Client Communication Attorney Work Product

313	6/13/2019	Rich Schwartz	Clark, Richard (MPCA) Udd, Jeff (MPCA) Timothy M. Bagshaw Adonis Neblett (MPCA)	Email	Attorney communication with outside counsel	Attorney Client Communication Attorney Work Product
314	6/13/2019	Rich Schwartz	Timothy M. Bagshaw	Email	Attorney communication with outside counsel	Attorney Client Communication Attorney Work Product
315	6/13/2019	Rich Schwartz	Timothy M. Bagshaw	Email	Attorney communication with outside counsel	Attorney Client Communication Attorney Work Product
316	6/13/2019	Rich Schwartz	Adonis Neblett (MPCA) Timothy M. Bagshaw Susan M. Mathiascheck	Email	Attorney communication with outside counsel	Attorney Client Communication Attorney Work Product
317	6/13/2019	Adonis Neblett (MPCA)	Rich Schwartz Timothy M. Bagshaw Susan M. Mathiascheck	Email	Attorney communication with outside counsel	Attorney Client Communication Attorney Work Product
318	6/18/2019	Adonis Neblett (MPCA)	Rich Schwartz Timothy M. Bagshaw Susan M. Mathiascheck John C. Martin	Email	Attorney communication with outside counsel	Attorney Client Communication Attorney Work Product
319	6/18/2019			Email Attachment - Word Doc	Attorney communication with outside counsel	Attorney Client Communication Attorney Work Product
320	6/18/2019			Email Attachment - Word Doc	Attorney communication with outside counsel	Attorney Client Communication Attorney Work Product
321	6/14/2019	Adonis Neblett (MPCA)	Richard E. Schwartz Timothy M. Bagshaw	Email	Attorney communication with outside counsel	Attorney Client Communication Attorney Work Product
322	6/14/2019	Adonis Neblett (MPCA)	Richard E. Schwartz Timothy M. Bagshaw	Email	Attorney communication with outside counsel	Attorney Client Communication Attorney Work Product
323	6/14/2019			Email Attachment - Word Doc	Attorney communication with outside counsel	Attorney Client Communication Attorney Work Product

324	6/14/2019	Adonis Neblett (MPCA)	Richard E. Schwartz Timothy M. Bagshaw Susan M. Mathiascheck John C. Martin	Email	Attorney communication with outside counsel	Attorney Client Communication Attorney Work Product
325	6/14/2019	Adonis Neblett (MPCA)	Rich Schwartz Timothy M. Bagshaw Susan M. Mathiascheck	Email	Attorney communication with outside counsel	Attorney Client Communication Attorney Work Product
326	6/13/2019	Adonis Neblett (MPCA)	Richard E. Schwartz Timothy M. Bagshaw John C. Martin Susan M. Mathiascheck Leslie Fredrickson(MPCA)	Email	Attorney communication with outside counsel	Attorney Client Communication Attorney Work Product
327	6/19/2019	Rich Schwartz	Adonis A. Neblett Timothy M. Bagshaw John C. Martin Susan M. Mathiascheck	Email	Attorney communication with outside counsel	Attorney Client Communication Attorney Work Product
328	6/18/2019	John C. Martin	Rich Schwartz Adonis Neblett (MPCA) Timothy M. Bagshaw Susan M. Mathiascheck	Email	Attorney communication with outside counsel	Attorney Client Communication Attorney Work Product
329	6/18/2019	Rich Schwartz	Adonis Neblett (MPCA) John C. Martin Timothy M. Bagshaw Susan M. Mathiascheck	Email	Attorney communication with outside counsel	Attorney Client Communication Attorney Work Product
330	6/18/2019	Adonis Neblett (MPCA)	John C. Martin Timothy M. Bagshaw Rich Schwartz Susan M. Mathiascheck	Email	Attorney communication with outside counsel	Attorney Client Communication Attorney Work Product
331	6/18/2019	Rich Schwartz	Adonis Neblett (MPCA) Timothy M. Bagshaw Susan M. Mathiascheck John C. Martin	Email	Attorney communication with outside counsel	Attorney Client Communication Attorney Work Product

332	6/24/2019	Rich Schwartz	Timothy M. Bagshaw	Email	Attorney communication with outside counsel	Attorney Client Communication Attorney Work Product
333	6/24/2019			Email Attachment - PDF	Attorney communication with outside counsel	Attorney Client Communication Attorney Work Product
334	9/26/2019			Word Doc	MPCA summary prepared for outside counsel	Attorney Client Communication Attorney Work Product
335	6/18/2019			Word Doc	Summary prepared by MPCA personnel for outside counsel	Attorney Client Communication Attorney Work Product
336	7/23/2019	Peter Tester (MPCA)	Adonis Neblett (MPCA) Laura Bishop (MPCA)	Email	Attorney communication with MPCA general counsel	Attorney Client Communication Attorney Work Product
337	8/1/2019	Laura Bishop	Adonis Neblett (MPCA) Peter Tester (MPCA) Katrina Kessler (MPCA)	Email	Attorney communication with MPCA general counsel	Attorney Client Communication Attorney Work Product
338	7/30/2019	Laura Bishop	Donya Dawson (MPCA)	Email	Attorney communication with MPCA general counsel	Attorney Client Communication
339	DOCUMENT REMOVED FROM PRIVILEGE LOG - PRODUCED 11/20/2019					
340	DOCUMENT REMOVED FROM PRIVILEGE LOG - PRODUCED 11/20/2019					
341	DOCUMENT REMOVED FROM PRIVILEGE LOG - PRODUCED 11/20/2019					
342	DOCUMENT REMOVED FROM PRIVILEGE LOG - PRODUCED 11/20/2019					
343	DOCUMENT REMOVED FROM PRIVILEGE LOG - PRODUCED 11/20/2019					
344	DOCUMENT REMOVED FROM PRIVILEGE LOG - PRODUCED 11/20/2019					
345	DOCUMENT REMOVED FROM PRIVILEGE LOG - PRODUCED 11/20/2019					
346	DOCUMENT REMOVED FROM PRIVILEGE LOG - PRODUCED 11/20/2019					
347	7/30/2019	Adonis Neblett (MPCA)	Peter Tester (MPCA) Laura Bishop (MPCA)	Word Doc	Attorney communication with MPCA general counsel	Attorney Client Communication Attorney Work Product
348	DOCUMENT REMOVED FROM PRIVILEGE LOG - PRODUCED 11/20/2019					
349	DOCUMENT REMOVED FROM PRIVILEGE LOG - PRODUCED 11/20/2019					
350	DOCUMENT REMOVED FROM PRIVILEGE LOG - PRODUCED 11/20/2019					
351	DOCUMENT REMOVED FROM PRIVILEGE LOG - PRODUCED 11/20/2019					
352	DOCUMENT REMOVED FROM PRIVILEGE LOG - PRODUCED 11/20/2019					
353	7/11/2019	Laura Bishop (MPCA)	Peter Tester (MPCA) Adonis Neblett (MPCA)	Email	Communication between MPCA personnel	Attorney Client Communication Attorney Work Product

354	7/16/2019	Laura Bishop (MPCA)	Darin Broton (MPCA) Richard Clark (MPCA) Peter Tester (MPCA) Adonis Neblett (MPCA) Katrina Kessler (MPCA)	Word Doc	Communication between MPCA personnel	Attorney Client Communication Attorney Work Product
355	6/27/2019	Laura Bishop (MPCA)	Peter Tester (MPCA) Darin Broton (MPCA) Adonis Neblett (MPCA) Katrina Kessler (MPCA)	Email	Attorney communication with MPCA general counsel	Attorney Client Communication Attorney Work Product
356	7/16/2019	Laura Bishop (MPCA)	Darin Broton (MPCA) Richard Clark (MPCA) Peter Tester (MPCA) Adonis Neblett (MPCA) Katrina Kessler (MPCA)	Email	Communication between MPCA personnel	Attorney Client Communication Attorney Work Product
357	7/16/2019	Laura Bishop (MPCA)	Charles Sutton (GOV) Darin Broton (MPCA) Kristin L. Beckmann (GOV) Peter Tester (MPCA) Adonis Neblett (MPCA) Chris L. Schmitter (GOV)	PDF	Attorney Work Product regarding permit appeal	Attorney Client Communication Attorney Work Product
358	6/12/2019	Laura Bishop (MPCA)	Peter Tester (MPCA) Darin Broton (MPCA) Adonis Neblett (MPCA)	PDF	Attorney communication with MPCA general counsel	Attorney Client Communication Attorney Work Product
359	DOCUMENT REMOVED FROM PRIVILEGE LOG - PRODUCED 11/20/2019					
360	6/13/2019	Laura Bishop (MPCA)	Charles Sutton (GOV) Peter Tester (MPCA) Emily M. Parks (GOV)	Email	Communication between MPCA personnel	Attorney Client Communication Attorney Work Product
361	6/13/2019	Laura Bishop (MPCA)	Charles Sutton (GOV) Peter Tester (MPCA) Emily M. Parks (GOV)	Email	Communication between MPCA personnel	Attorney Client Communication Attorney Work Product
362	DOCUMENT REMOVED FROM PRIVILEGE LOG - PRODUCED 11/20/2019					
363	DOCUMENT REMOVED FROM PRIVILEGE LOG - PRODUCED 11/20/2019					
364	6/20/2019	Laura Bishop (MPCA)	Adonis Neblett (MPCA) Jeff Udd (MPCA) Peter Tester (MPCA) Richard Clark (MPCA) Katrina Kessler (MPCA) Darin Broton (MPCA)	Word Doc	Attorney communication with agency personnel	Attorney Client Communication Attorney Work Product

365	6/16/2019	Laura Bishop (MPCA)	Krsitin L. Beckmann (GOV) Charles Sutton (GOV) Emily M. Parks (GOV) Adonis Neblett (MPCA)	Email	Attorney communication with agency personnel	Attorney Client Communication Attorney Work Product
366	2/28/2019	Laura Bishop (MPCA)	Adonis Neblett (MPCA)	Word Doc	Attorney communication with MPCA general counsel	Attorney Client Communication Attorney Work Product
367	2/28/2019	Laura Bishop (MPCA)	Adonis Neblett (MPCA) Donya Dawson (MPCA) Leslie Fredrickson(MPCA) Peter Tester (MPCA)	Email	Attorney communication with MPCA general counsel	Attorney Client Communication Attorney Work Product
368	DOCUMENT REMOVED FROM PRIVILEGE LOG - PRODUCED 11/20/2019					
369	DOCUMENT REMOVED FROM PRIVILEGE LOG - PRODUCED 11/20/2019					
370	DOCUMENT REMOVED FROM PRIVILEGE LOG - PRODUCED 11/20/2019					
371	DOCUMENT REMOVED FROM PRIVILEGE LOG - PRODUCED 11/20/2019					
372	DOCUMENT REMOVED FROM PRIVILEGE LOG - PRODUCED 11/20/2019					
373	DOCUMENT REMOVED FROM PRIVILEGE LOG - PRODUCED 11/20/2019					
374	DOCUMENT REMOVED FROM PRIVILEGE LOG - PRODUCED 11/20/2019					
375	8/5/2019	Laura Bishop (MPCA)	Peter Tester (MPCA) Adonis Neblett (MPCA) Katrina Kessler (MPCA)	Email	Attorney communication with MPCA general counsel	Attorney Client Communication Attorney Work Product
376	8/5/2019			Email Attachment - PDF	Attorney communication with MPCA general counsel	Attorney Client Communication Attorney Work Product
377	DOCUMENT REMOVED FROM PRIVILEGE LOG - PRODUCED 11/20/2019					
378	DOCUMENT REMOVED FROM PRIVILEGE LOG - PRODUCED 11/20/2019					
379	2/7/2019	Laura Bishop (MPCA)	Greta Gauthier (MPCA) Shannon Lotthammer (MPCA) Adonis Neblett (MPCA) Dave Verhasselt (MPCA) Alexis Donath (MPCA)	Email	Attorney communication with MPCA general counsel	Attorney Client Communication Attorney Work Product
380	DOCUMENT REMOVED FROM PRIVILEGE LOG - PRODUCED 11/20/2019					
381	DOCUMENT REMOVED FROM PRIVILEGE LOG - PRODUCED 11/20/2019					
382	DOCUMENT REMOVED FROM PRIVILEGE LOG - PRODUCED 11/20/2019					
383	DOCUMENT REMOVED FROM PRIVILEGE LOG - PRODUCED 11/20/2019					
384	DOCUMENT REMOVED FROM PRIVILEGE LOG - PRODUCED 11/20/2019					
385	DOCUMENT REMOVED FROM PRIVILEGE LOG - PRODUCED 11/20/2019					
386	DOCUMENT REMOVED FROM PRIVILEGE LOG - PRODUCED 11/20/2019					
387	DOCUMENT REMOVED FROM PRIVILEGE LOG - PRODUCED 11/20/2019					

388	DOCUMENT REMOVED FROM PRIVILEGE LOG - PRODUCED 11/20/2019					
389	7/17/2019	Laura Bishop (MPCA)	Peter Tester (MPCA) Darin Broton (MPCA)	Word Doc	Forwarding attorney-client communication from Adonis Neblett	Attorney Work Product
390	7/10/2019	Peter Tester (MPCA)	Sarah D. Kilgriff (MPCA) Jeff J Smith (MPCA) Craig McDonnell (MPCA) Jeff J Smith (MPCA) Darin Broton (MPCA) Adonis Neblett (MPCA) Laura Bishop (MPCA)	Email	Attorney communication with agency personnel	Attorney Client Communication Attorney Work Product
391	7/17/2019	Richard Clark (MPCA)	Darin Broton (MPCA) Adonis Neblett (MPCA) Peter Tester (MPCA) Katrina Kessler (MPCA) Laura Bishop (MPCA)	Email	Attorney communication with agency personnel	Attorney Client Communication Attorney Work Product
392	7/17/2019			Email Attachment - Word Doc	Attorney Work Product regarding permit development	Attorney Work Product
393	DOCUMENT REMOVED FROM PRIVILEGE LOG - PRODUCED 11/20/2019					
394	7/17/2019	Katrina Kessler (MPCA)	Peter Tester (MPCA) Laura Bishop (MPCA) Darin Broton (MPCA) Richard Clark (MPCA) Adonis Neblett (MPCA)	Email	Attorney communication with agency personnel	Attorney Client Communication Attorney Work Product
395	7/17/2019	Peter Tester (MPCA)	Katrina Kessler (MPCA) Laura Bishop (MPCA) Darin Broton (MPCA) Richard Clark (MPCA) Adonis Neblett (MPCA)	Email	Attorney communication with agency personnel	Attorney Client Communication Attorney Work Product
396	7/17/2019	Katrina Kessler (MPCA)	Peter Tester (MPCA) Laura Bishop (MPCA) Darin Broton (MPCA) Richard Clark (MPCA) Adonis Neblett (MPCA)	PDF	Attorney communication with agency personnel	Attorney Client Communication Attorney Work Product
397	7/16/2019	Peter Tester (MPCA)	Laura Bishop (MPCA) Darin Broton (MPCA) Richard Clark (MPCA) Adonis Neblett (MPCA) Katrina Kessler (MPCA)	Email	Attorney communication with agency personnel	Attorney Client Communication Attorney Work Product

398	7/16/2019	Adonis Neblett (MPCA)	Darin Broton (MPCA) Laura Bishop (MPCA) Peter Tester (MPCA) Katrina Kessler (MPCA) Greta Gauthier (MPCA) Richard Clark (MPCA)	Email	Attorney communication with agency personnel	Attorney Client Communication Attorney Work Product
399	7/16/2019	Darin Broton (MPCA)	Laura Bishop (MPCA) Peter Tester (MPCA) Adonis Neblett (MPCA) Katrina Kessler (MPCA)	Email	Communication between MPCA personnel	Attorney Client Communication Attorney Work Product
400	6/28/2019	Adonis Neblett (MPCA)	Laura Bishop (MPCA) Peter Tester (MPCA) Katrina Kessler (MPCA) Darin Broton (MPCA)	Email	Attorney communication with outside counsel	Attorney Client Communication Attorney Work Product
401	6/26/2019	Adonis Neblett (MPCA)	Laura Bishop (MPCA) Peter Tester (MPCA) Katrina Kessler (MPCA) Greta Gauthier (MPCA) Darin Broton (MPCA)	Email	Attorney communication with outside counsel	Attorney Client Communication Attorney Work Product
402	7/9/2019	Adonis Neblett (MPCA)	Laura Bishop (MPCA) Peter Tester (MPCA)	Email	Attorney communication with agency personnel	Attorney Client Communication Attorney Work Product
403	7/9/2019			Email Attachment - Word Doc	Attorney Work Product regarding permit appeal	Attorney Work Product
404	7/2/2019	Adonis Neblett (MPCA)	Laura Bishop (MPCA) Test A. Tester [test63@yahoo.com] Katrina Kessler (MPCA) McDonnell, Craig (MPCA) Darin Broton (MPCA) Greta Gauthier (MPCA)	Email	Attorney communication with agency personnel	Attorney Client Communication Attorney Work Product
405	6/21/2019	Adonis Neblett (MPCA)	Laura Bishop (MPCA)	Email	Attorney communication with agency personnel	Attorney Client Communication Attorney Work Product
406	6/16/2019	Laura Bishop (MPCA)	Krsitin L. Beckmann (GOV) Charles Sutton (GOV) Emily M. Parks (GOV) Adonis Neblett (MPCA)	Email	Attorney communication with agency personnel	Attorney Client Communication Attorney Work Product
407	DOCUMENT REMOVED FROM PRIVILEGE LOG - PRODUCED 11/20/2019					

408	6/23/2019	Adonis Neblett (MPCA)	Laura Bishop (MPCA) Peter Tester (MPCA) Katrina Kessler (MPCA) Darin Broton (MPCA) Greta Gauthier (MPCA) Daniel Ross (MNIT)	Email	Attorney communication with agency personnel	Attorney Client Communication Attorney Work Product
409	6/14/2019	Adonis Neblett (MPCA)	Greta Gauthier (MPCA) Laura Bishop (MPCA) Peter Tester (MPCA) Darin Broton (MPCA) Katrina Kessler (MPCA)	Email	Attorney communication with agency personnel	Attorney Client Communication Attorney Work Product
410	6/20/2019	Peter Tester (MPCA)	Richard Clark (MPCA) Jeff Udd (MPCA) Katrina Kessler (MPCA) Laura Bishop (MPCA) Darin Broton (MPCA) Adonis Neblett (MPCA)	Email	Attorney communication with agency personnel	Attorney Client Communication Attorney Work Product
411	6/20/2019			Email Attachment - Word Doc	Communication between MPCA personnel	Attorney Client Communication Attorney Work Product
412	DOCUMENT REMOVED FROM PRIVILEGE LOG - PRODUCED 11/20/2019					
413	6/12/2019	Darin Broton (MPCA)	Adonis Neblett (MPCA) Laura Bishop (MPCA) Peter Tester (MPCA)	Email	Attorney communication with agency personnel	Attorney Client Communication Attorney Work Product
414	DOCUMENT REMOVED FROM PRIVILEGE LOG - PRODUCED 11/20/2019					
415	6/17/2019	Adonis Neblett (MPCA)	Laura Bishop (MPCA)	Email	Attorney communication with agency personnel	Attorney Client Communication Attorney Work Product
416	6/23/2019	Adonis Neblett (MPCA)	Laura Bishop (MPCA) Peter Tester (MPCA) Katrina Kessler (MPCA) Darin Broton (MPCA) Greta Gauthier (MPCA)	Email	Communication between MPCA personnel	Attorney Client Communication Attorney Work Product
417	DOCUMENT REMOVED FROM PRIVILEGE LOG - PRODUCED 11/20/2019					
418	6/13/2019	Adonis Neblett (MPCA)	Darin Broton (MPCA) Laura Bishop (MPCA) Peter Tester (MPCA)	Email	Attorney communication with agency personnel	Attorney Client Communication Attorney Work Product

419	6/20/2019	Adonis Neblett (MPCA)	Laura Bishop (MPCA) Peter Tester (MPCA) Darin Broton (MPCA) Katrina Kessler (MPCA) Jeff Udd (MPCA) Richard Clark (MPCA)	Email	Attorney communication with agency personnel	Attorney Client Communication Attorney Work Product
420	6/20/2019			Email Attachment - Word Doc	Attorney communication with agency personnel	Attorney Client Communication Attorney Work Product
421	6/18/2019	Darin Broton (MPCA)	Laura Bishop (MPCA) Adonis Neblett (MPCA) Peter Tester (MPCA) Katrina Kessler (MPCA)	Email	Attorney communication with agency personnel	Attorney Client Communication Attorney Work Product
422	6/23/2019	Peter Tester (MPCA)	Adonis Neblett (MPCA) Laura Bishop (MPCA)	Word Doc	Attorney communication with agency personnel	Attorney Client Communication Attorney Work Product
423	6/20/2019	Tschann, Teddy (GOV)	Charles Sutton (GOV) Emily M. Parks (GOV) Kayla J. Castaneda (GOV) Laura Bishop (MPCA) Kristin L. Beckmann (GOV) Chris L. Schmitter (GOV) Darin Broton (MPCA)	Email	Attorney communications and communications among state personnel	Attorney Client Communication Attorney Work Product
424	6/25/2019	Adonis Neblett (MPCA)	Laura Bishop (MPCA) Peter Tester (MPCA)	Email	Attorney communication with agency personnel	Attorney Client Communication Attorney Work Product
425	6/20/2019	Emily M. Parks (GOV)	Charles Sutton (GOV) Kayla J. Castaneda (GOV) Tschann, Teddy (GOV) Laura Bishop (MPCA) Kristin L. Beckmann (GOV) Chris L. Schmitter (GOV) Darin Broton (MPCA)	Word Doc	Attorney communications and communications among state personnel	Attorney Client Communication Attorney Work Product
426	6/20/2019	Adonis Neblett (MPCA)	Laura Bishop (MPCA) Peter Tester (MPCA) Darin Broton (MPCA) Katrina Kessler (MPCA) Jeff Udd (MPCA)	Email	Attorney communication with agency personnel	Attorney Client Communication Attorney Work Product

427	6/20/2019			Email Attachment - Word Doc	Attorney Work Product regarding permit appeal	Attorney Client Communication Attorney Work Product
428	8/11/2019	Peter Tester (MPCA)	Laura Bishop (MPCA) Darin Broton (MPCA) Adonis Neblett (MPCA)	PDF	Attorney communication with agency personnel	Attorney Client Communication Attorney Work Product
429	6/20/2019	Charles Sutton (GOV)	Kayla J. Castaneda (GOV) Tschann, Teddy (GOV) Laura Bishop (MPCA) Kristin L. Beckmann (GOV) Chris L. Schmitter (GOV) Darin Broton (MPCA) Emily M. Parks (GOV)	Email	Communication between MPCA personnel	Attorney Client Communication Attorney Work Product
430	DOCUMENT REMOVED FROM PRIVILEGE LOG - PRODUCED 11/20/2019					
431	6/23/2019	Peter Tester (MPCA)	Laura Bishop (MPCA) Adonis Neblett (MPCA) Katrina Kessler (MPCA) Darin Broton (MPCA) Greta Gauthier (MPCA)	Email	Attorney communication with MPCA general counsel	Attorney Client Communication Attorney Work Product
432	6/13/2019	Peter Tester (MPCA)	Laura Bishop (MPCA) Darin Broton (MPCA) Adonis Neblett (MPCA)	Email	Attorney communication with MPCA general counsel	Attorney Client Communication Attorney Work Product
433	6/20/2019	Charles Sutton (GOV)	Kayla J. Castaneda (GOV) Tschann, Teddy (GOV) Laura Bishop (MPCA) Kristin L. Beckmann (GOV) Chris L. Schmitter (GOV) Darin Broton (MPCA) Emily M. Parks (GOV)	Email	Attorney communications and communications among state personnel	Attorney Client Communication Attorney Work Product
434	6/14/2019	Adonis Neblett (MPCA)	Laura Bishop (MPCA) Peter Tester (MPCA) Greta Gauthier (MPCA) Katrina Kessler (MPCA) Darin Broton (MPCA)	Word Doc	Attorney communication with agency personnel	Attorney Client Communication Attorney Work Product
435	DOCUMENT REMOVED FROM PRIVILEGE LOG - PRODUCED 11/20/2019					
436	6/26/2019	Adonis Neblett (MPCA)	Peter Tester (MPCA) Laura Bishop (MPCA) Darin Broton (MPCA)	PDF	Attorney communication with agency personnel	Attorney Client Communication Attorney Work Product

437	6/14/2019	Adonis Neblett (MPCA)	Greta Gauthier (MPCA) Laura Bishop (MPCA) Peter Tester (MPCA) Darin Brotton (MPCA) Katrina Kessler (MPCA)	Email	Attorney communication with agency personnel	Attorney Client Communication Attorney Work Product
438	DOCUMENT REMOVED FROM PRIVILEGE LOG - PRODUCED 11/20/2019					
439	DOCUMENT REMOVED FROM PRIVILEGE LOG - PRODUCED 11/20/2019					
440	DOCUMENT REMOVED FROM PRIVILEGE LOG - PRODUCED 11/20/2019					
441	DOCUMENT REMOVED FROM PRIVILEGE LOG - PRODUCED 11/20/2019					
442	Non-Responsive document removed from Privilege Log					
443	DOCUMENT REMOVED FROM PRIVILEGE LOG - PRODUCED 11/20/2019					
444	DOCUMENT REMOVED FROM PRIVILEGE LOG - PRODUCED 11/20/2019					
445	6/17/2019	Peter Tester (MPCA)	Laura Bishop (MPCA) Darin Brotton (MPCA) Adonis Neblett (MPCA)	JPG	Communication between MPCA personnel	Attorney Client Communication Attorney Work Product
446	DOCUMENT REMOVED FROM PRIVILEGE LOG - PRODUCED 11/20/2019					
447	6/21/2019	Peter Tester (MPCA)	Laura Bishop (MPCA) Charles Sutton (GOV) Sasha Bergman (GOV) Chris L. Schmitter (GOV) Emily M. Parks (GOV) Kristin L. Beckmann (GOV) Hue Nguyen (GOV) Suzanne Sobotka (GOV)	Email	Communication between MPCA personnel	Attorney Client Communication Attorney Work Product
448	DOCUMENT REMOVED FROM PRIVILEGE LOG - PRODUCED 11/20/2019					
449	6/13/2019	Katrina Kessler (MPCA)	Peter Tester (MPCA) Darin Brotton (MPCA) Adonis Neblett (MPCA) Laura Bishop (MPCA)	Word Doc	Attorney communication with MPCA general counsel	Attorney Client Communication Attorney Work Product
450	6/18/2019	Peter Tester (MPCA)	Darin Brotton (MPCA) Katrina Kessler (MPCA) Laura Bishop (MPCA) Adonis Neblett (MPCA)	Word Doc	Attorney communication with MPCA general counsel	Attorney Client Communication Attorney Work Product
451	6/18/2019			Email Attachment - Word Doc	Attorney communication with MPCA general counsel	Attorney Client Communication Attorney Work Product
452	6/18/2019			Email Attachment - Word Doc	Attorney communication with MPCA general counsel	Attorney Client Communication Attorney Work Product

453	6/18/2019	Peter Tester (MPCA)	Adonis Neblett (MPCA) Katrina Kessler (MPCA)	Email	Attorney communication with MPCA general counsel	Attorney Client Communication Attorney Work Product
454	6/18/2019			Email Attachment - Word Doc	Attorney communication with MPCA general counsel	Attorney Client Communication Attorney Work Product
455	DOCUMENT REMOVED FROM PRIVILEGE LOG - PRODUCED 11/20/2019					
456	6/12/2019	Darin Broton (MPCA)	Laura Bishop (MPCA) Peter Tester (MPCA) Adonis Neblett (MPCA) Katrina Kessler (MPCA)	Word Doc	Communication between MPCA personnel	Attorney Client Communication Attorney Work Product
457	DOCUMENT REMOVED FROM PRIVILEGE LOG - PRODUCED 11/20/2019					
458	3/19/2019	Adonis Neblett (MPCA)	Donya Dawson (MPCA) Laura Bishop (MPCA) Deborah Klooz (MPCA) Leslie Fredrickson(MPCA)	PDF	Attorney communication with agency personnel	Attorney Client Communication Attorney Work Product
459	3/19/2019	Donya Dawson (MPCA)	Adonis Neblett (MPCA) Laura Bishop (MPCA) Deborah Klooz (MPCA) Leslie Fredrickson(MPCA)	PDF	Attorney communication with agency personnel	Attorney Client Communication Attorney Work Product
460	3/19/2019	Adonis Neblett (MPCA)	Laura Bishop (MPCA) Donya Dawson (MPCA) Deborah Klooz (MPCA) Leslie Fredrickson(MPCA)	PDF	Attorney communication with agency personnel	Attorney Client Communication Attorney Work Product
461	3/8/2019	Adonis Neblett (MPCA)	Donya Dawson (MPCA) Laura Bishop (MPCA) Deborah Klooz (MPCA) Leslie Fredrickson(MPCA)	PDF	Attorney communication with agency personnel	Attorney Client Communication Attorney Work Product
462	3/8/2019	Adonis Neblett (MPCA)	Donya Dawson (MPCA) Laura Bishop (MPCA) Deborah Klooz (MPCA) Leslie Fredrickson(MPCA)	PDF	Attorney communication with agency personnel	Attorney Client Communication Attorney Work Product

463	8/7/2019	Adonis Neblett (MPCA)	Laura Bishop (MPCA) CoriAhna Rude-Young (MPCA) Darin Broton (MPCA) Peter Tester (MPCA) Malec, Chris (MPCA)	PDF	Attorney communication with agency personnel	Attorney Client Communication Attorney Work Product
464	2/28/2019	Adonis Neblett (MPCA)	Laura Bishop (MPCA)	PDF	Attorney communication with agency personnel	Attorney Client Communication Attorney Work Product
465	2/28/2019	Adonis Neblett (MPCA)	Laura Bishop (MPCA) Donya Dawson (MPCA) Leslie Fredrickson(MPCA)	PDF	Attorney communication with agency personnel	Attorney Client Communication Attorney Work Product
466	3/7/2019	Adonis Neblett (MPCA)	Laura Bishop (MPCA) Donya Dawson (MPCA) Leslie Fredrickson(MPCA)	PDF	Attorney communication with agency personnel	Attorney Client Communication Attorney Work Product
467	DOCUMENT REMOVED FROM PRIVILEGE LOG - PRODUCED 11/20/2019					
468	DOCUMENT REMOVED FROM PRIVILEGE LOG - PRODUCED 11/20/2019					
469	DOCUMENT REMOVED FROM PRIVILEGE LOG - PRODUCED 11/20/2019					
470	DOCUMENT REMOVED FROM PRIVILEGE LOG - PRODUCED 11/20/2019					
471	8/6/2019	Kristin L. Beckmann (GOV)	Charles Sutton (GOV) Adonis Neblett (MPCA) Darin Broton (MPCA) Peter Tester (MPCA) Laura Bishop (MPCA)	PDF	Attorney communication with state and agency personnel	Attorney Client Communication Attorney Work Product
472	8/6/2019	Charles Sutton (GOV)	Adonis Neblett (MPCA) Darin Broton (MPCA) Kristin L. Beckmann (GOV) Peter Tester (MPCA) Laura Bishop (MPCA)	PDF	Attorney communication with state and agency personnel	Attorney Client Communication Attorney Work Product
473	8/6/2019	Adonis Neblett (MPCA)	Darin Broton (MPCA) Kristin L. Beckmann (GOV) Charles Sutton (GOV) Peter Tester (MPCA) Laura Bishop (MPCA)	Email	Attorney communication with state and agency personnel	Attorney Client Communication Attorney Work Product
474	DOCUMENT REMOVED FROM PRIVILEGE LOG - PRODUCED 11/20/2019					
475	DOCUMENT REMOVED FROM PRIVILEGE LOG - PRODUCED 11/20/2019					

476	1/28/2019	Shannon Lotthammer (MPCA)	Laura Bishop (MPCA) Adonis Neblett (MPCA) Michelle Beeman (MPCA)	Word Doc	Attorney communication with agency personnel	Attorney Client Communication Attorney Work Product
477	1/22/2019	Shannon Lotthammer (MPCA)	Dave Verhasselt (MPCA) Laura Bishop (MPCA) Greta Gauthier (MPCA) Adonis Neblett (MPCA) Michael R Schmidt (MPCA)	Word Doc	Attorney communication with agency personnel	Attorney Client Communication Attorney Work Product
478	1/17/2019	Shannon Lotthammer (MPCA)	Laura Bishop (MPCA) Dave Verhasselt (MPCA) Michelle Beeman (MPCA) Greta Gauthier (MPCA) Adonis Neblett (MPCA) Michael R Schmidt (MPCA) Jeff Udd (MPCA) Jeff J Smith (MPCA)	Email	Attorney communication with MPCA general counsel	Attorney Client Communication Attorney Work Product
479	1/18/2019	Dave Verhasselt (MPCA)	Greta Gauthier (MPCA) Jeff J Smith (MPCA) Shannon Lotthammer (MPCA) Laura Bishop (MPCA) Michelle Beeman (MPCA) Adonis Neblett (MPCA) Michael R Schmidt (MPCA) Jeff Udd (MPCA)	Email	Communication among MPCA counsel and personnel	Attorney Client Communication Attorney Work Product
480	1/18/2019	Greta Gauthier (MPCA)	Jeff J Smith (MPCA) Dave Verhasselt (MPCA) Shannon Lotthammer (MPCA) Laura Bishop (MPCA) Michelle Beeman (MPCA) Adonis Neblett (MPCA) Michael R Schmidt (MPCA) Jeff Udd (MPCA)	Word Doc	Communication between MPCA personnel	Attorney Client Communication Attorney Work Product
481	DOCUMENT REMOVED FROM PRIVILEGE LOG - PRODUCED 11/20/2019					
482	DOCUMENT REMOVED FROM PRIVILEGE LOG - PRODUCED 11/20/2019					

483	7/26/2019	Peter Tester (MPCA)	Laura Bishop (MPCA)	Email	Forwarding attorney communication and work product	Attorney Client Communication
484	7/26/2019			Email Attachment - Word Doc	Attorney Work Product (Adonis Neblett) regarding permit appeal	Attorney Client Communication Attorney Work Product
485	7/19/2019	Darin Broton (MPCA)	Laura Bishop (MPCA) Peter Tester (MPCA) Adonis Neblett (MPCA) Greta Gauthier (MPCA) Katrina Kessler (MPCA) Jeff Udd (MPCA) Richard Clark (MPCA)	Email	Communication between MPCA personnel	Attorney Client Communication Attorney Work Product
486	DOCUMENT REMOVED FROM PRIVILEGE LOG - PRODUCED 11/20/2019					
487	7/17/2019	Adonis Neblett (MPCA)	Peter Tester (MPCA) Laura Bishop (MPCA)	Email	Attorney communication with agency personnel	Attorney Client Communication Attorney Work Product
488	DOCUMENT REMOVED FROM PRIVILEGE LOG - PRODUCED 11/20/2019					
489	DOCUMENT REMOVED FROM PRIVILEGE LOG - PRODUCED 11/20/2019					
490	DOCUMENT REMOVED FROM PRIVILEGE LOG - PRODUCED 11/20/2019					
491	DOCUMENT REMOVED FROM PRIVILEGE LOG - PRODUCED 11/20/2019					
492	DOCUMENT REMOVED FROM PRIVILEGE LOG - PRODUCED 11/20/2019					
493	DOCUMENT REMOVED FROM PRIVILEGE LOG - PRODUCED 11/20/2019					
494	DOCUMENT REMOVED FROM PRIVILEGE LOG - PRODUCED 11/20/2019					
495	DOCUMENT REMOVED FROM PRIVILEGE LOG - PRODUCED 11/20/2019					
496	DOCUMENT REMOVED FROM PRIVILEGE LOG - PRODUCED 11/20/2019					
497	DOCUMENT REMOVED FROM PRIVILEGE LOG - PRODUCED 11/20/2019					
498	7/3/2019	Richard Clark (MPCA)	Mary Connor (MPCA) Katrina Kessler (MPCA) Darin Broton (MPCA)	Email	Work Product prepared at request of counsel	Attorney Work Product
499	7/3/2019			Email Attachment - Word Doc	Work Product prepared at request of counsel	Attorney Work Product
500	7/16/2019	Adonis Neblett (MPCA)	Richard Clark (MPCA) Jeff Udd (MPCA) Darin Broton (MPCA)	Email	Attorney communication with MPCA general counsel	Attorney Client Communication Attorney Work Product
501	7/16/2019			Email Attachment - PDF	Attorney communication with MPCA general counsel	Attorney Client Communication
502	DOCUMENT REMOVED FROM PRIVILEGE LOG - PRODUCED 11/20/2019					
503	7/6/2019	Adonis Neblett (MPCA)	Darin Broton (MPCA)	Email	Communication between MPCA personnel	Attorney Client Communication Attorney Work Product
504	DOCUMENT REMOVED FROM PRIVILEGE LOG - PRODUCED 11/20/2019					

505	DOCUMENT REMOVED FROM PRIVILEGE LOG - PRODUCED 11/20/2019					
506	6/18/2019	Darin Broton (MPCA)	Laura Bishop (MPCA) Adonis Neblett (MPCA) Peter Tester (MPCA) Katrina Kessler (MPCA)	PDF	Attorney communication with agency personnel	Attorney Client Communication Attorney Work Product
507	DOCUMENT REMOVED FROM PRIVILEGE LOG - PRODUCED 11/20/2019					
508	7/19/2019			Email Attachment - Word Doc	Work Product prepared at request of counsel	Attorney Work Product
509	7/19/2019			Email Attachment - Word Doc	Work Product prepared at request of counsel	Attorney Work Product
510	DOCUMENT REMOVED FROM PRIVILEGE LOG - PRODUCED 11/20/2019					
511	7/3/2019	Darin Broton (MPCA)	Adonis Neblett	Email	Attorney communication with MPCA general counsel	Attorney Client Communication Attorney Work Product
512	7/3/2019			Email Attachment - HTML Doc	Communication between MPCA personnel	Attorney Client Communication Attorney Work Product
513	7/16/2019	Darin Broton (MPCA)	Richard Clark (MPCA) Laura Bishop (MPCA) Peter Tester (MPCA) Adonis Neblett Katrina Kessler	Email	Attorney communication with MPCA general counsel	Attorney Client Communication Attorney Work Product
514	7/16/2019			Email Attachment - PDF	Attorney communication with MPCA general counsel	Attorney Client Communication Attorney Work Product
515	7/10/2019	Darin Broton (MPCA)	Laura Bishop (MPCA) Peter Tester (MPCA) Adonis Neblett Katrina Kessler	PDF	Attorney communication with MPCA general counsel	Attorney Client Communication Attorney Work Product
516	7/16/2019	Darin Broton (MPCA)	Charles Sutton Kristin L. Beckmann (GOV) Peter Tester (MPCA) Laura Bishop (MPCA) Adonis Neblett	PDF	Attorney communication with MPCA general counsel	Attorney Client Communication Attorney Work Product
517	7/16/2019			Email Attachment - PDF	Attorney communication with MPCA general counsel	Attorney Client Communication
518	7/5/2019	Darin Broton (MPCA)	Katrina Kessler (MPCA) Mary Connor (MPCA)	PDF	Work Product prepared at request of counsel	Attorney Work Product
519	7/16/2019	Darin Broton (MPCA)	Laura Bishop (MPCA) Peter Tester (MPCA) Adonis Neblett Katrina Kessler	PDF	Attorney communication with MPCA general counsel	Attorney Client Communication Attorney Work Product

520	7/16/2019			Email Attachment - PDF	Attorney communication with MPCA general counsel	Attorney Client Communication
521	DOCUMENT REMOVED FROM PRIVILEGE LOG - PRODUCED 11/20/2019					
522	DOCUMENT REMOVED FROM PRIVILEGE LOG - PRODUCED 11/20/2019					
523	DOCUMENT REMOVED FROM PRIVILEGE LOG - PRODUCED 11/20/2019					
524	DOCUMENT REMOVED FROM PRIVILEGE LOG - PRODUCED 11/20/2019					
525	6/13/2019	Adonis Neblett (MPCA)	Donya Dawson (MPCA) Peter Tester (MPCA) Laura Bishop (MPCA) Greta Gauthier (MPCA) Katrina Kessler (MPCA) Darin Broton (MPCA) Richard Clark (MPCA) Jeff Udd (MPCA)	Email	Attorney communication with MPCA personnel	Attorney Client Communication Attorney Work Product
526	6/13/2019			Email Attachment - PDF	Communication between MPCA personnel	Attorney Client Communication Attorney Work Product
527	DOCUMENT REMOVED FROM PRIVILEGE LOG - PRODUCED 11/20/2019					
528	DOCUMENT REMOVED FROM PRIVILEGE LOG - PRODUCED 11/20/2019					
529	DOCUMENT REMOVED FROM PRIVILEGE LOG - PRODUCED 11/20/2019					
530	DOCUMENT REMOVED FROM PRIVILEGE LOG - PRODUCED 11/20/2019					
531	DOCUMENT REMOVED FROM PRIVILEGE LOG - PRODUCED 11/20/2019					
532	7/17/2019	Katrina Kessler (MPCA)	Richard Clark (MPCA) Darin Broton (MPCA)	Word Doc	Work Product prepared at request of counsel	Attorney Work Product
533	7/17/2019			Email Attachment - Word Doc	Work Product prepared at request of counsel	Attorney Work Product
534	DOCUMENT REMOVED FROM PRIVILEGE LOG - PRODUCED 11/20/2019					
535	DOCUMENT REMOVED FROM PRIVILEGE LOG - PRODUCED 11/20/2019					
536	7/5/2019	Adonis Neblett (MPCA)	Richard Clark (MPCA) Stephanie Handeland (MPCA) Jeff Udd (MPCA) Deborah Klooz (MPCA) Darin Broton (MPCA)	Word Doc	Attorney communication with MPCA general counsel	Attorney Client Communication Attorney Work Product
537	7/5/2019	Richard Clark (MPCA)	Adonis Neblett (MPCA) Stephanie Handeland (MPCA) Jeff Udd (MPCA) Deborah Klooz (MPCA) Darin Broton (MPCA)	Email	Attorney communication with MPCA general counsel	Attorney Client Communication Attorney Work Product

538	7/5/2019	Adonis Neblett (MPCA)	Richard Clark (MPCA) Stephanie Handeland (MPCA) Jeff Udd (MPCA) Deborah Klooz (MPCA) Darin Broton (MPCA)	Word Doc	Attorney communication with MPCA general counsel	Attorney Client Communication Attorney Work Product
539	7/2/2019	Mary Connor (MPCA)	Katrina Kessler (MPCA) Richard Clark (MPCA) Darin Broton (MPCA)	Email	Work Product prepared at request of counsel	Attorney Work Product
540	7/2/2019			Email Attachment - Word Doc	Work Product prepared at request of counsel	Attorney Work Product
541	7/3/2019	Mary Connor (MPCA)	Darin Broton (MPCA) Katrina Kessler (MPCA)	Email	Work Product prepared at request of counsel	Attorney Work Product
542	7/3/2019			Email Attachment - Word Doc	Work Product prepared at request of counsel	Attorney Work Product
543	7/5/2019	Adonis Neblett (MPCA)	Darin Broton (MPCA)	Email	Attorney communication with MPCA general counsel	Attorney Client Communication Attorney Work Product
544	7/5/2019	Adonis Neblett (MPCA)	Darin Broton (MPCA)	Email	Attorney communication with MPCA general counsel	Attorney Client Communication Attorney Work Product
545	7/17/2019	Richard Clark (MPCA)	Katrina Kessler (MPCA) Darin Broton (MPCA)	Email	Work Product prepared at request of counsel	Attorney Work Product
546	7/17/2019			Email Attachment - Word Doc	Work Product prepared at request of counsel	Attorney Work Product
547	7/11/2019	Mary Connor (MPCA)	Darin Broton (MPCA)	Email	Work Product prepared at request of counsel	Attorney Work Product
548	7/11/2019			Email Attachment - Word Doc	Work Product prepared at request of counsel	Attorney Work Product
549	7/18/2019	Adonis Neblett (MPCA)	Darin Broton (MPCA)	Email	Attorney communication with MPCA general counsel	Attorney Client Communication Attorney Work Product
550	7/18/2019			Email Attachment - PDF	Attorney communication with MPCA general counsel	Attorney Client Communication Attorney Work Product
551	DOCUMENT REMOVED FROM PRIVILEGE LOG - PRODUCED 11/20/2019					
552	DOCUMENT REMOVED FROM PRIVILEGE LOG - PRODUCED 11/20/2019					
553	7/17/2019	Katrina Kessler (MPCA)	Adonis Neblett (MPCA) Darin Broton (MPCA) Richard Clark (MPCA)	Email	Communication between MPCA personnel	Attorney Client Communication Attorney Work Product

554	7/17/2019			Email Attachment - Word Doc	Communication between MPCA personnel	Attorney Client Communication Attorney Work Product
555	7/5/2019	Katrina Kessler (MPCA)	Mary Connor (MPCA) Darin Broton (MPCA)	Email	Work Product prepared at request of counsel	Attorney Work Product
556	DOCUMENT REMOVED FROM PRIVILEGE LOG - PRODUCED 11/20/2019					
557	7/4/2019	Adonis Neblett (MPCA)	Darin Broton (MPCA)	Email	Communication between MPCA personnel	Attorney Client Communication Attorney Work Product
558	7/4/2019			Email Attachment	Work Product prepared at request of counsel	Attorney Work Product
559	7/4/2019			JPG	Work Product prepared at request of counsel	Attorney Work Product
560	7/4/2019			JPG	Work Product prepared at request of counsel	Attorney Work Product
561	6/28/2019	Laura Bishop (MPCA)	McDonnell, Craig (MPCA) Darin Broton (MPCA) Peter Tester (MPCA) Adonis Neblett (MPCA)	Email	Attorney communication with MPCA general counsel	Attorney Client Communication Attorney Work Product
562	7/17/2019	Richard Clark (MPCA)	Katrina Kessler (MPCA) Darin Broton (MPCA)	Email	Work Product prepared at request of counsel	Attorney Work Product
563	7/17/2019			Email Attachment - Word Doc	Work Product prepared at request of counsel	Attorney Work Product
564	DOCUMENT REMOVED FROM PRIVILEGE LOG - PRODUCED 11/20/2019					
565	DOCUMENT REMOVED FROM PRIVILEGE LOG - PRODUCED 11/20/2019					
566	DOCUMENT REMOVED FROM PRIVILEGE LOG - PRODUCED 11/20/2019					
567	DOCUMENT REMOVED FROM PRIVILEGE LOG - PRODUCED 11/20/2019					
568	6/21/2019	Laura Bishop (MPCA)	Peter Tester (MPCA) Adonis Neblett (MPCA) Katrina Kessler (MPCA) Darin Broton (MPCA) Greta Gauthier (MPCA)	Email	Attorney communication with MPCA general counsel	Attorney Client Communication Attorney Work Product
569	DOCUMENT REMOVED FROM PRIVILEGE LOG - PRODUCED 11/20/2019					
570	8/2/2019	Adonis Neblett (MPCA)	Darin Broton (MPCA)	Email	Attorney communication with MPCA general counsel	Attorney Client Communication Attorney Work Product
571	8/2/2019			Email Attachment - Word Doc	Attorney communication with MPCA general counsel	Attorney Client Communication
572	8/2/2019			Email Attachment - Word Doc	Attorney Work Product regarding permit appeal	Attorney Client Communication Attorney Work Product

573	8/2/2019			Email Attachment - PDF	Attorney communication with outside counsel	Attorney Client Communication Attorney Work Product
574	8/2/2019			Email Attachment - PDF	Attorney communication with outside counsel	Attorney Client Communication Attorney Work Product
575	DOCUMENT REMOVED FROM PRIVILEGE LOG - PRODUCED 11/20/2019					
576	8/27/2019			PDF	Work Product prepared at request of counsel	Attorney Work Product
577	8/27/2019			PDF	Work Product prepared at request of counsel	Attorney Work Product
578	8/27/2019			PDF	Work Product prepared at request of counsel	Attorney Work Product
579	8/27/2019			PDF	Work Product prepared at request of counsel	Attorney Work Product
580	8/27/2019			PDF	Work Product prepared at request of counsel	Attorney Work Product
581	8/27/2019			PDF	Work Product prepared at request of counsel	Attorney Work Product
582	DOCUMENT REMOVED FROM PRIVILEGE LOG - PRODUCED 11/20/2019					
583	DOCUMENT REMOVED FROM PRIVILEGE LOG - PRODUCED 11/20/2019					
584	DOCUMENT REMOVED FROM PRIVILEGE LOG - PRODUCED 11/20/2019					
585	DOCUMENT REMOVED FROM PRIVILEGE LOG - PRODUCED 11/20/2019					
586	DOCUMENT REMOVED FROM PRIVILEGE LOG - PRODUCED 11/20/2019					
587	DOCUMENT REMOVED FROM PRIVILEGE LOG - PRODUCED 11/20/2019					
588	DOCUMENT REMOVED FROM PRIVILEGE LOG - PRODUCED 11/20/2019					
589	6/27/2019	Darin Broton (MPCA)	Laura Bishop (MPCA) Peter Tester (MPCA) Adonis Neblett Katrina Kessler Greta Gauthier Craig McDonnell Helen Waquiu (MPCA) Kirk Koudelka (MPCA)	Email	Attorney communication with MPCA general counsel	Attorney Client Communication Attorney Work Product
590	7/19/2019			Word Doc	Work Product prepared at request of counsel	Attorney Work Product
591	7/17/2019			Word Doc	Work Product prepared at request of counsel	Attorney Work Product
592	7/17/2019			Word Doc	Work Product prepared at request of counsel	Attorney Work Product
593	7/17/2019			Word Doc	Work Product prepared at request of counsel	Attorney Work Product

594	7/17/2019			Word Doc	Work Product prepared at request of counsel	Attorney Work Product
595	DOCUMENT REMOVED FROM PRIVILEGE LOG - PRODUCED 11/20/2019					
596	DOCUMENT REMOVED FROM PRIVILEGE LOG - PRODUCED 11/20/2019					
597	5/19/2016	Michael Schmidt		Word Doc	Michael Schmidt Work Product	Attorney Client Communication
598	8/27/2019			PDF	Attorney communication with MPCA general counsel	Attorney Client Communication
599	7/12/2019	Andre Champagne (MNIT)	Brita Larsen Adonis Neblett (MPCA) Susan M. Mathiascheck	Email	Attorney Work Product regarding permit appeal	Attorney Client Communication Attorney Work Product
600	7/12/2019	Andre Champagne (MNIT)	Brita Larsen Adonis Neblett (MPCA) Susan M. Mathiascheck	Email	Attorney Work Product regarding permit appeal	Attorney Client Communication Attorney Work Product
601	7/11/2019	Andre Champagne (MNIT)	Adonis Neblett (MPCA) Brita Larsen Susan M. Mathiascheck	Email	Attorney communication with MPCA general counsel	Attorney Client Communication Attorney Work Product
602	7/12/2019	Susan M. Mathiascheck	Brita Larsen	Email	Attorney communication with MPCA general counsel	Attorney Client Communication Attorney Work Product
603	7/3/2019	Susan M. Mathiascheck	Brita Larsen	Email	Attorney Work Product regarding permit appeal	Attorney Client Communication Attorney Work Product
604	6/19/2019	Susan M. Mathiascheck	John C. Martin	Email	Attorney communication with MPCA general counsel	Attorney Client Communication Attorney Work Product
605	6/19/2019			Email Attachment - Word Doc	Attorney Work Product regarding permit development	Attorney Client Communication Attorney Work Product
606	6/19/2019			Email Attachment	Attorney Work Product regarding permit development	Attorney Client Communication Attorney Work Product
607	6/14/2019	Susan M. Mathiascheck	John C. Martin	Email	Attorney communication with agency personnel	Attorney Client Communication Attorney Work Product
608	6/14/2019	Susan M. Mathiascheck	John C. Martin	Word Doc	Attorney communication with outside counsel	Attorney Client Communication Attorney Work Product

609	8/6/2019	John C. Martin	Jen James Sarah Koniewicz Bryson C. Smith Susan M. Mathiascheck Trisa J. DiPaola	Email	Attorney Work Product regarding permit appeal	Attorney Client Communication Attorney Work Product
610	8/6/2019			Email Attachment - Word Doc	Attorney Work Product regarding permit appeal	Attorney Client Communication Attorney Work Product
611	7/31/2019	John C. Martin	Adonis Neblett (MPCA) Susan M. Mathiascheck Rich Schwartz Bryson C. Smith	Email	Attorney communication with MPCA general counsel	Attorney Client Communication Attorney Work Product
612	7/31/2019			Email Attachment - PDF	Attorney Work Product regarding permit appeal	Attorney Client Communication Attorney Work Product
613	7/31/2019			Email Attachment - PDF	Attorney Work Product regarding permit appeal	Attorney Client Communication Attorney Work Product
614	8/19/2019	John C. Martin	Susan M. Mathiascheck Bryson C. Smith Kathryn K. Floyd Kyle W. Robisch Davida S. Williams Rich Schwartz Adonis Neblett (MPCA)	Email	Attorney Work Product regarding permit appeal	Attorney Client Communication Attorney Work Product
615	9/25/2019	John C. Martin	Shannon Lotthammer Sherry A. Enzler Richard E. Schwartz Susan M. Mathiascheck	Email	Attorney communication with MPCA general counsel	Attorney Client Communication Attorney Work Product
616	9/26/2019	John C. Martin	Peter Tester Adonis Neblett (MPCA) Rich Schwartz Susan M. Mathiascheck	Email	Attorney communication with MPCA general counsel	Attorney Client Communication Attorney Work Product

617	7/1/2019	John C. Martin	Susan M. Mathiascheck Rich Schwartz Adonis A. Neblett Timothy M. Bagshaw Bryson C. Smith	Word Doc	Attorney communication with MPCA general counsel	Attorney Client Communication Attorney Work Product
618	8/16/2019	John C. Martin	Kyle W. Robisch Kathryn K. Floyd Davida S. Williams Bryson C. Smith Rich Schwartz Susan M. Mathiascheck	Email	Attorney Work Product regarding permit appeal	Attorney Client Communication Attorney Work Product
619	9/23/2019	John C. Martin	Adonis Neblett (MPCA) Rich Schwartz Susan M. Mathiascheck	Email	Attorney communication with MPCA general counsel	Attorney Client Communication Attorney Work Product
620	8/6/2019	John C. Martin	Adonis Neblett (MPCA) Bryson C. Smith Rich Schwartz Susan M Mathiascheck	Email	Attorney Work Product regarding permit appeal	Attorney Client Communication Attorney Work Product
621	8/6/2019			Email Attachment - Word Doc	Attorney Work Product regarding permit appeal	Attorney Client Communication Attorney Work Product
622	7/10/2019	John C. Martin	Adonis Neblett (MPCA) Rich Schwartz Susan M. Mathiascheck Trisa J. DiPaola	Email	Attorney communication with MPCA general counsel	Attorney Client Communication Attorney Work Product
623	7/10/2019			Email Attachment - PDF	Attorney Work Product regarding permit appeal	Attorney Client Communication Attorney Work Product
624	7/10/2019	John C. Martin	Rich Schwartz Susan M. Mathiascheck	Email	Attorney Work Product regarding permit appeal	Attorney Client Communication Attorney Work Product
625	7/10/2019			Email Attachment - Word Doc	Attorney Work Product regarding permit appeal	Attorney Client Communication Attorney Work Product
626	7/24/2019	John C. Martin	Susan M. Mathiascheck	Word Doc	Attorney communication with MPCA general counsel	Attorney Client Communication Attorney Work Product

627	8/2/2019	John C. Martin	Bryson C. Smith Susan M. Mathiascheck	Email	Attorney Work Product regarding permit appeal	Attorney Client Communication Attorney Work Product
628	8/25/2019	John C. Martin	Adonis Neblett Richard E. Schwartz Susan M. Mathiascheck	Email	Attorney communication with MPCA general counsel	Attorney Client Communication Attorney Work Product
629	8/25/2019			Email Attachment	Attorney communication with agency personnel	Attorney Client Communication Attorney Work Product
630	8/25/2019	John C. Martin	Rich Schwartz Susan M. Mathiascheck Bryson C. Smith Chelsea Davis Adonis Neblett (MPCA)	Email Attachment - Email	Attorney communication with MPCA general counsel	Attorney Client Communication Attorney Work Product
631	10/1/2019	John C. Martin	Susan M. Mathiascheck Bryson C. Smith Rich Schwartz	Email	Attorney communication with agency personnel	Attorney Client Communication Attorney Work Product
632	10/1/2019			Email Attachment - PDF	Attorney communication with agency personnel	Attorney Client Communication Attorney Work Product
633	10/1/2019			Email Attachment - Word Doc	Attorney communication with agency personnel	Attorney Client Communication Attorney Work Product
634	10/1/2019			Email Attachment - PDF	Attorney communication with agency personnel	Attorney Client Communication Attorney Work Product
635	10/1/2019			Email Attachment - PDF	Attorney communication with agency personnel	Attorney Client Communication Attorney Work Product
636	10/1/2019			Email Attachment - PDF	Attorney communication with agency personnel	Attorney Client Communication Attorney Work Product
637	10/1/2019			Email Attachment - PDF	Attorney communication with agency personnel	Attorney Client Communication Attorney Work Product
638	10/1/2019			Email Attachment - PDF	Attorney communication with agency personnel	Attorney Client Communication Attorney Work Product

639	10/1/2019	John C. Martin	Bryson C. Smith Susan M. Mathiascheck Rich Schwartz	Email	Attorney communication with MPCA general counsel	Attorney Client Communication Attorney Work Product
640	10/1/2019			Email Attachment - PDF	Attorney communication with MPCA general counsel	Attorney Client Communication Attorney Work Product
641	10/1/2019			Email Attachment - PDF	Attorney communication with MPCA general counsel	Attorney Client Communication Attorney Work Product
642	10/1/2019			Email Attachment - PDF	Attorney communication with MPCA general counsel	Attorney Client Communication Attorney Work Product
643	8/29/2019	John C. Martin	Susan M. Mathiascheck Rich Schwartz	Email	Attorney communication with outside counsel	Attorney Client Communication Attorney Work Product
644	8/8/2019	John C. Martin	Rich Schwartz Susan M. Mathiascheck Bryson C. Smith Chelsea Davis Adonis Neblett (MPCA)	Email	Attorney communication with MPCA general counsel	Attorney Client Communication Attorney Work Product
645	8/14/2019	John C. Martin	Adonis Neblett (MPCA) Rich Schwartz Bryson C. Smith Susan M. Mathiascheck	Email	Attorney communication with MPCA general counsel	Attorney Client Communication Attorney Work Product
646	8/14/2019			Email Attachment - PDF	Attorney communication with MPCA general counsel	Attorney Client Communication Attorney Work Product
647	7/10/2019	John C. Martin	Trisa J. DiPaola Rich Schwartz Susan M. Mathiascheck	Email	Attorney communication with agency personnel	Attorney Client Communication Attorney Work Product
648	7/10/2019			Email Attachment - Word Doc	Attorney Work Product regarding permit appeal	Attorney Client Communication Attorney Work Product
649	7/9/2019	John C. Martin	Rich Schwartz Susan M. Mathiascheck Samuel R. Yemington	Email	Attorney Work Product regarding permit appeal	Attorney Client Communication Attorney Work Product

650	7/9/2019			Email Attachment - Word Doc	Attorney Work Product regarding permit appeal	Attorney Client Communication Attorney Work Product
651	7/18/2019	John C. Martin	Susan M. Mathiascheck Rich Schwartz	Email	Attorney communication with agency personnel	Attorney Client Communication Attorney Work Product
652	7/18/2019			Email Attachment - Word Doc	Attorney Work Product regarding permit appeal	Attorney Client Communication Attorney Work Product
653	7/31/2019	John C. Martin	Susan M. Mathiascheck Rich Schwartz	Email	Attorney communication with agency personnel	Attorney Client Communication Attorney Work Product
654	7/31/2019			Email Attachment - Word Doc	Attorney Work Product regarding permit appeal	Attorney Client Communication Attorney Work Product
655	7/2/2019	John C. Martin	Adonis Neblett (MPCA) Rich Schwartz Susan M. Mathiascheck	Email	Attorney communication with MPCA general counsel	Attorney Client Communication Attorney Work Product
656	7/2/2019			Email Attachment - Word Doc	Attorney Work Product regarding permit appeal	Attorney Client Communication Attorney Work Product
657	6/19/2019	John C. Martin	Adonis Neblett (MPCA) Carla Norton Susan M. Mathiascheck	Email	Attorney communication with MPCA general counsel	Attorney Client Communication Attorney Work Product
658	8/8/2019	John C. Martin	Rich Schwartz Adonis Neblett (MPCA) Susan M. Mathiascheck Bryson C. Smith	Word Doc	Attorney communication with MPCA general counsel	Attorney Client Communication Attorney Work Product
659	10/8/2019	John C. Martin	Peter Tester (MPCA) Adonis A. Neblett Rich Schwartz Susan M. Mathiascheck Bryson C. Smith	Word Doc	Attorney communication with MPCA general counsel	Attorney Client Communication Attorney Work Product
660	10/8/2019			Email Attachment - Word Doc	Attorney Work Product regarding permit appeal	Attorney Client Communication Attorney Work Product

661	7/25/2019	John C. Martin	Adonis Neblett (MPCA) Susan M. Mathiascheck Rich Schwartz	Email	Attorney communication with MPCA general counsel	Attorney Client Communication Attorney Work Product
662	7/31/2019	John C. Martin	Adonis Neblett (MPCA) Susan M. Mathiascheck Rich Schwartz	Email	Attorney communication with MPCA general counsel	Attorney Client Communication Attorney Work Product
663	7/31/2019			Email Attachment - Word Doc	Attorney Work Product regarding permit appeal	Attorney Client Communication Attorney Work Product
664	9/30/2019	John C. Martin	Peter Tester (MPCA) Adonis Neblett (MPCA) Rich Schwartz Susan M. Mathiascheck	Email	Attorney communication with MPCA general counsel	Attorney Client Communication Attorney Work Product
665	9/30/2019	John C. Martin	Peter Tester (MPCA) Adonis Neblett (MPCA) Rich Schwartz Susan M. Mathiascheck	Email	Attorney communication with MPCA general counsel	Attorney Client Communication Attorney Work Product
666	9/30/2019	John C. Martin	Susan M. Mathiascheck Peter Tester (MPCA) Adonis Neblett (MPCA) Rich Schwartz	Email	Attorney communication with MPCA general counsel	Attorney Client Communication Attorney Work Product
667	8/26/2019	John C. Martin	Adonis Neblett (MPCA) Rich Schwartz Susan M. Mathiascheck Bryson C. Smith Michelle Ooley (MPCA)	Email	Attorney communication with MPCA general counsel	Attorney Client Communication Attorney Work Product
668	8/25/2019	John C. Martin	Rich Schwartz Adonis Neblett (MPCA) Susan M. Mathiascheck	Email	Attorney communication with MPCA general counsel	Attorney Client Communication Attorney Work Product
669	8/29/2019	John C. Martin	Adonis Neblett (MPCA) Susan M. Mathiascheck	Email	Attorney communication with MPCA general counsel	Attorney Client Communication Attorney Work Product
670	7/18/2019	John C. Martin	Susan M. Mathiascheck Rich Schwartz	Email	Attorney communication with agency personnel	Attorney Client Communication Attorney Work Product

671	7/18/2019	John C. Martin	Susan M. Mathiascheck Rich Schwartz	Email	Attorney communication with agency personnel	Attorney Client Communication Attorney Work Product
672	8/28/2019	John C. Martin	Susan M. Mathiascheck	Email	Attorney communication with MPCA general counsel	Attorney Client Communication Attorney Work Product
673	8/27/2019	John C. Martin	Susan M. Mathiascheck	Email	Attorney communication with MPCA general counsel	Attorney Client Communication Attorney Work Product
674	8/25/2019	John C. Martin	Adonis Neblett (MPCA) Rich Schwartz Susan M. Mathiascheck	Email	Attorney communication with MPCA general counsel	Attorney Client Communication Attorney Work Product
675	8/7/2019	John C. Martin	Adonis Neblett (MPCA) Bryson C. Smith Rich Schwartz Susan M. Mathiascheck	Email	Attorney communication with MPCA general counsel	Attorney Client Communication Attorney Work Product
676	7/19/2019	John C. Martin	Rich Schwartz Susan M. Mathiascheck	Email	Attorney communication with outside counsel	Attorney Client Communication Attorney Work Product
677	8/8/2019	John C. Martin	Rich Schwartz Adonis Neblett (MPCA) Susan M. Mathiascheck Bryson C. Smith Chelsea Davis	Email	Attorney communication with outside counsel	Attorney Client Communication Attorney Work Product
678	7/10/2019	John C. Martin	Susan M. Mathiascheck	Email	Attorney communication with outside counsel	Attorney Client Communication Attorney Work Product
679	7/8/2019	John C. Martin	Rich Schwartz Susan M. Mathiascheck	Email	Attorney communication with outside counsel	Attorney Client Communication Attorney Work Product
680	8/27/2019	John C. Martin	Rich Schwartz Bryson C. Smith Susan M. Mathiascheck	Email	Attorney communication with outside counsel	Attorney Client Communication Attorney Work Product
681	8/21/2019	John C. Martin	Bryson C. Smith Trisa J. DiPaola Susan M. Mathiascheck	Email	Attorney communication with outside counsel	Attorney Client Communication Attorney Work Product

682	7/21/2019	John C. Martin	Adonis Neblett (MPCA) Susan M. Mathiascheck Rich Schwartz	Email	Attorney communication with outside counsel	Attorney Client Communication Attorney Work Product
683	7/21/2019	John C. Martin	Adonis Neblett (MPCA) Susan M. Mathiascheck Rich Schwartz	Email	Attorney communication with MPCA general counsel	Attorney Client Communication Attorney Work Product
684	7/10/2019	John C. Martin	Adonis Neblett (MPCA) Rich Schwartz Susan M. Mathiascheck	Email	Attorney communication with MPCA general counsel	Attorney Client Communication Attorney Work Product
685	8/21/2019	John C. Martin	Adonis Neblett (MPCA) Susan M. Mathiascheck Rich Schwartz Bryson C. Smith	Email	Attorney communication with MPCA general counsel	Attorney Client Communication Attorney Work Product
686	7/10/2019	John C. Martin	Susan M. Mathiascheck Trisa J. DiPaola	Email	Attorney communication with outside counsel	Attorney Client Communication Attorney Work Product
687	7/10/2019	John C. Martin	Trisa J. DiPaola Rich Schwartz Samuel R. Yemington Susan M. Mathiascheck Chelsea Davis Chris D. Mack Barbara Wallin	Email	Attorney communication with outside counsel	Attorney Client Communication Attorney Work Product
688	10/3/2019	John C. Martin	Bryson C. Smith Rich Schwartz Adonis A. Neblett Susan M. Mathiascheck Timothy M. Bagshaw	Email	Attorney communication with MPCA general counsel	Attorney Client Communication Attorney Work Product
689	7/3/2019	John C. Martin	Adonis Neblett (MPCA) Rich Schwartz Susan M. Mathiascheck	Email	Attorney communication with MPCA general counsel	Attorney Client Communication Attorney Work Product
690	8/8/2019	John C. Martin	Rich Schwartz Adonis Neblett (MPCA) Susan M. Mathiascheck Bryson C Smith	Email	Attorney communication with MPCA general counsel	Attorney Client Communication Attorney Work Product

691	10/8/2019	John C. Martin	Peter Tester (MPCA) Adonis Neblett (MPCA) Rich Schwartz Susan M. Mathiascheck Katrina Kessler (MPCA)	Email	Attorney communication with MPCA general counsel	Attorney Client Communication Attorney Work Product
692	7/26/2019	John C. Martin	Michelle Ooley (MPCA) Adonis Neblett (MPCA) Susan M. Mathiascheck Rich Schwartz Trisa J. DiPaola	Email	Attorney communication with MPCA general counsel	Attorney Client Communication Attorney Work Product
693	7/2/2019	John C. Martin	Adonis Neblett (MPCA) Rich Schwartz Susan M. Mathiascheck	Word Doc	Attorney communication with MPCA general counsel	Attorney Client Communication Attorney Work Product
694	9/25/2019	John C. Martin	Dessa Reimer Susan M. Mathiascheck Rich Schwartz	Email	Attorney communication with outside counsel	Attorney Client Communication Attorney Work Product
695	8/29/2019	John C. Martin	Susan M. Mathiascheck Rich Schwartz	Word Doc	Attorney communication with outside counsel	Attorney Client Communication Attorney Work Product
696	8/2/2019	John C. Martin	Rich Schwartz Susan M. Mathiascheck Trisa J. DiPaola	Email	Attorney communication with outside counsel	Attorney Client Communication Attorney Work Product
697	9/16/2019	John C. Martin	Adonis Neblett (MPCA) Rich Schwartz Susan M. Mathiascheck	Email	Attorney communication with MPCA general counsel	Attorney Client Communication Attorney Work Product
698	9/16/2019	John C. Martin	Rich Schwartz Adonis Neblett (MPCA) Susan M. Mathiascheck	Email	Attorney communication with MPCA general counsel	Attorney Client Communication Attorney Work Product
699	7/2/2019	John C. Martin	Timothy M. Bagshaw Rich Schwartz Susan M. Mathiascheck Alison C. Hunter	Email	Attorney communication with outside counsel	Attorney Client Communication Attorney Work Product

700	6/18/2019	John C. Martin	Rich Schwartz Adonis Neblett (MPCA) Timothy M. Bagshaw Susan M. Mathiascheck	Email	Attorney communication with outside counsel	Attorney Client Communication Attorney Work Product
701	9/27/2019	John C. Martin	Susan M. Mathiascheck Schwartz Richard E. Bryson C. Smith	Email	Attorney communication with outside counsel	Attorney Client Communication Attorney Work Product
702	9/30/2019	Rich Schwartz	Adonis A. Neblett John C. Martin Susan M. Mathiascheck Bryson C. Smith	Email	Attorney communication with MPCA general counsel	Attorney Client Communication Attorney Work Product
703	6/18/2019	Rich Schwartz	Adonis Neblett (MPCA) Timothy M. Bagshaw Susan M. Mathiascheck John C. Martin	Email	Attorney communication with outside counsel	Attorney Client Communication Attorney Work Product
704	7/10/2019	Rich Schwartz	Adonis Neblett (MPCA) Susan M. Mathiascheck John C. Martin	Excel Doc	Attorney communication with outside counsel	Attorney Client Communication Attorney Work Product
705	10/7/2019	Rich Schwartz	Bryson C. Smith Trisa J. DiPaola John C. Martin Susan M. Mathiascheck Debra D. Fitten	Email	Attorney Work Product regarding permit appeal	Attorney Client Communication Attorney Work Product
706	10/7/2019	Rich Schwartz	Bryson C. Smith Adonis A. Neblett John C. Martin Susan M. Mathiascheck	Excel Doc	Attorney Work Product regarding permit appeal	Attorney Client Communication Attorney Work Product
707	7/8/2019	Rich Schwartz	Susan M. Mathiascheck John C. Martin	Email	Attorney communication with outside counsel	Attorney Client Communication Attorney Work Product
708	10/4/2019	Rich Schwartz	Adonis Neblett (MPCA) Susan M. Mathiascheck John C. Martin Timothy M. Bagshaw Bryson C. Smith	Email	Attorney communication with MPCA general counsel	Attorney Client Communication Attorney Work Product

709	10/4/2019	Rich Schwartz	Adonis Neblett (MPCA) Susan M. Mathiascheck John C. Martin Timothy M. Bagshaw Bryson C. Smith	Word Doc	Attorney communication with outside counsel	Attorney Client Communication Attorney Work Product
710	7/11/2019	Rich Schwartz	Adonis Neblett (MPCA) Susan M. Mathiascheck John C. Martin	Email	Attorney communication with MPCA general counsel	Attorney Client Communication Attorney Work Product
711	7/26/2019	Rich Schwartz	John C. Martin Michelle Ooley (MPCA) Adonis Neblett (MPCA) Susan M. Mathiascheck Trisa J. DiPaola	Email	Attorney communication with MPCA general counsel	Attorney Client Communication Attorney Work Product
712	7/30/2019	Rich Schwartz	John C. Martin Susan M. Mathiascheck	Email	Attorney communication with MPCA general counsel	Attorney Client Communication Attorney Work Product
713	7/30/2019	Rich Schwartz	Susan M. Mathiascheck John C. Martin	Word Doc	Attorney communication with outside counsel	Attorney Client Communication Attorney Work Product
714	7/2/2019	Rich Schwartz	Adonis Neblett (MPCA) John C. Martin Susan M. Mathiascheck	Email	Attorney communication with MPCA general counsel	Attorney Client Communication Attorney Work Product
715	7/2/2019	Rich Schwartz	Adonis Neblett (MPCA) John C. Martin Susan M. Mathiascheck	Email	Attorney communication with MPCA general counsel	Attorney Client Communication Attorney Work Product
716	7/28/2019	Rich Schwartz	Adonis Neblett (MPCA) John C. Martin Susan M. Mathiascheck	Word Doc	Attorney communication with MPCA general counsel	Attorney Client Communication Attorney Work Product
717	10/2/2019	Rich Schwartz	Bryson C. Smith Susan M. Mathiascheck John C. Martin Timothy M. Bagshaw	Email	Attorney Work Product regarding permit appeal	Attorney Client Communication Attorney Work Product
718	10/8/2019	Rich Schwartz	Susan M. Mathiascheck	Word Doc	Attorney Work Product regarding permit appeal	Attorney Client Communication Attorney Work Product

719	7/1/2019	Rich Schwartz	Adonis Neblett (MPCA) Susan M. Mathiascheck John C. Martin Timothy M. Bagshaw Bryson C. Smith	Email	Attorney communication with MPCA general counsel	Attorney Client Communication Attorney Work Product
720	6/13/2019	Rich Schwartz	Adonis Neblett (MPCA) Timothy M. Bagshaw Susan M. Mathiascheck	Email	Attorney communication with MPCA general counsel	Attorney Client Communication Attorney Work Product
721	6/18/2019	Rich Schwartz	Adonis Neblett (MPCA) John C. Martin Timothy M. Bagshaw Susan M. Mathiascheck	Word Doc	Attorney communication with MPCA general counsel	Attorney Client Communication Attorney Work Product
722	9/16/2019	Rich Schwartz	Adonis Neblett (MPCA) John C. Martin Susan M. Mathiascheck	Email	Attorney communication with MPCA general counsel	Attorney Client Communication Attorney Work Product
723	9/16/2019	Rich Schwartz	Adonis Neblett (MPCA) John C. Martin Susan M. Mathiascheck	Email	Attorney communication with MPCA general counsel	Attorney Client Communication Attorney Work Product
724	9/16/2019	Rich Schwartz	Adonis Neblett (MPCA) John C. Martin Susan M. Mathiascheck	Email	Attorney communication with MPCA general counsel	Attorney Client Communication Attorney Work Product
725	9/16/2019	Rich Schwartz	Adonis Neblett (MPCA) John C. Martin Susan M. Mathiascheck	Email	Attorney communication with MPCA general counsel	Attorney Client Communication Attorney Work Product
726	9/16/2019	Rich Schwartz	Adonis Neblett (MPCA) John C. Martin Susan M. Mathiascheck	Email	Attorney communication with MPCA general counsel	Attorney Client Communication Attorney Work Product
727	7/17/2019	Rich Schwartz	Adonis A. Neblett John C. Martin Susan M. Mathiascheck	Email	Attorney Work Product regarding permit appeal	Attorney Client Communication Attorney Work Product

728	9/27/2019	Richard Clark (MPCA)	Rich Schwartz Susan M. Mathiascheck John C. Martin Timothy M. Bagshaw	Email	Attorney communication with MPCA general counsel	Attorney Client Communication Attorney Work Product
729	9/27/2019	Richard Clark (MPCA)	Stephanie Handeland (MPCA)	Email Attachment - Email	Work Product prepared at request of counsel	Attorney Client Communication Attorney Work Product
730	6/14/2019	Stephanie Handeland (MPCA)	Richard Clark (MPCA)	Email Attachment - Word Doc	Work Product prepared at request of counsel	Attorney Client Communication Attorney Work Product
731	6/14/2019			Email Attachment - Word Doc	Work Product prepared at request of counsel	Attorney Client Communication Attorney Work Product
732	6/13/2019	Stephanie Handeland (MPCA)	Richard Clark (MPCA)	Email Attachment - Email	Work Product prepared at request of counsel	Attorney Client Communication Attorney Work Product
733	6/13/2019			Email Attachment - Word Doc	Work Product prepared at request of counsel	Attorney Client Communication Attorney Work Product
734	9/27/2019	Richard Clark (MPCA)	Richard Clark (MPCA)	Email Attachment - Email	Work Product prepared at request of counsel	Attorney Client Communication Attorney Work Product
735	9/27/2019	Richard Clark (MPCA)	Richard Clark (MPCA)	Email Attachment - Email	Work Product prepared at request of counsel	Attorney Client Communication Attorney Work Product
736	9/27/2019	Richard Clark (MPCA)	Mary Connor (MPCA)	Email Attachment - Email	Work Product prepared at request of counsel	Attorney Client Communication Attorney Work Product
737	9/27/2019	Darin Broton (MPCA)	Laura Bishop (MPCA) Peter Tester (MPCA) Adonis Neblett (MPCA) Katrina Kessler (MPCA) Greta Gauthier (MPCA) Richard Clark (MPCA) Jeff Udd (MPCA)	Email	Attorney communication with MPCA general counsel	Attorney Client Communication Attorney Work Product
738	Non-Responsive document removed from Privilege Log					
739	DOCUMENT REMOVED FROM PRIVILEGE LOG - PRODUCED 11/20/2019					
740	6/27/2019	Darin Broton (MPCA)	Katrina Kessler (MPCA) Jeff Udd (MPCA) Mary Connor (MPCA) Richard Clark (MPCA)	Email	Work Product prepared at request of counsel	Attorney Client Communication Attorney Work Product

741	9/27/2019	Richard Clark (MPCA)	Stephanie Handeland (MPCA)	Email	Work Product prepared at request of counsel	Attorney Client Communication Attorney Work Product
742	9/27/2019			Email Attachment - Excel Do	Work Product prepared at request of counsel	Attorney Client Communication Attorney Work Product
743	9/27/2019	Stephanie Handeland (MPCA)	Richard Clark (MPCA)	Email	Work Product prepared at request of counsel	Attorney Client Communication Attorney Work Product
744	9/27/2019			Email Attachment - Excel Do	Work Product prepared at request of counsel	Attorney Client Communication Attorney Work Product
745	9/27/2019	Stephanie Handeland (MPCA)	Richard Clark (MPCA)	Email	Work Product prepared at request of counsel	Attorney Client Communication Attorney Work Product
746	6/14/2019	Richard Clark (MPCA)	Stephanie Handeland (MPCA)	Email	Work Product prepared at request of counsel	Attorney Client Communication Attorney Work Product
747	6/14/2019			Email Attachment - Word Doc	Work Product prepared at request of counsel	Attorney Client Communication Attorney Work Product
748	9/27/2019	Stephanie Handeland (MPCA)	Richard Clark (MPCA)	Email	Work Product prepared at request of counsel	Attorney Client Communication Attorney Work Product
749	7/3/2019	Mary Connor (MPCA)	Richard Clark (MPCA) Katrina Kessler (MPCA) Darin Broton (MPCA)	Email	Work Product prepared at request of counsel	Attorney Client Communication Attorney Work Product
750	6/17/2019	Richard Clark (MPCA)	Peter Tester (MPCA)	Email	Work Product prepared at request of counsel	Attorney Client Communication Attorney Work Product
751	9/27/2019			Email Attachment - PDF	Work Product prepared at request of counsel	Attorney Client Communication Attorney Work Product
752	9/27/2019	Darin Broton (MPCA)	Laura Bishop (MPCA) Peter Tester (MPCA) Katrina Kessler (MPCA) Greta Gauthier (MPCA) Richard Clark (MPCA) Jeff Udd (MPCA) Adonis Neblett (MPCA)	Email	Attorney communication with MPCA general counsel	Attorney Client Communication Attorney Work Product

753	6/13/2019	Richard Clark (MPCA)	Stephanie Handeland (MPCA)	Email	Work Product prepared at request of counsel	Attorney Client Communication Attorney Work Product
754	6/13/2019			Email Attachment - Word Doc	Work Product prepared at request of counsel	Attorney Client Communication Attorney Work Product
755	DOCUMENT REMOVED FROM PRIVILEGE LOG - PRODUCED 11/20/2019					
756	8/20/2019			Email Attachment - Word Doc	Work Product prepared at request of counsel	Attorney Client Communication Attorney Work Product
757	Non-Responsive document removed from Privilege Log					
758	DOCUMENT REMOVED FROM PRIVILEGE LOG - PRODUCED 11/20/2019					
759	8/20/2019			Email Attachment - Word Doc	Work Product prepared at request of counsel	Attorney Client Communication Attorney Work Product
760	9/27/2019	Richard Clark (MPCA)	Rich Schwartz Susan M. Mathiascheck John C. Martin Timothy M. Bagshaw	Email	Attorney communication with outside counsel	Attorney Client Communication Attorney Work Product
761	9/27/2019	Richard Clark (MPCA)	Adonis Neblett (MPCA)	Email Attachment - Email	Attorney communication with MPCA general counsel	Attorney Client Communication Attorney Work Product
762	9/27/2019	Richard Clark (MPCA)	Rich Schwartz Adonis Neblett (MPCA)	Email Attachment - Email	Attorney communication with outside counsel	Attorney Client Communication Attorney Work Product
763	9/27/2019	Adonis Neblett (MPCA)	Darin Broton (MPCA) Laura Bishop (MPCA) Peter Tester (MPCA) Katrina Kessler (MPCA) Greta Gauthier (MPCA) Richard Clark (MPCA) Jeff Udd (MPCA)	Email Attachment - Email	Attorney communication with MPCA general counsel	Attorney Client Communication Attorney Work Product
764	9/27/2019	Richard Clark (MPCA)	Adonis Neblett (MPCA) Stephanie Handeland (MPCA) Jeff Udd (MPCA) Deborah Klooz (MPCA) Darin Broton (MPCA)	Email Attachment - Word Doc	Attorney communication with MPCA general counsel	Attorney Client Communication Attorney Work Product

765	9/27/2019	Adonis Neblett (MPCA)	Richard Clark (MPCA) Stephanie Handeland (MPCA) Jeff Udd (MPCA) Deborah Klooz (MPCA) Darin Broton (MPCA)	Email Attachment - Word Doc	Attorney communication with MPCA general counsel	Attorney Client Communication Attorney Work Product
766	9/27/2019	Adonis Neblett (MPCA)	Richard E. Schwartz Susan M. Mathiascheck Richard Clark (MPCA) Jeff Udd (MPCA)	Email Attachment - Email	Attorney communication with outside counsel	Attorney Client Communication Attorney Work Product
767	9/27/2019	Richard Clark (MPCA)	Adonis Neblett (MPCA) Jeff Udd (MPCA)	Email Attachment - Email	Attorney communication with MPCA general counsel	Attorney Client Communication Attorney Work Product
768	9/27/2019			Email Attachment - Word Doc	Attorney communication with MPCA general counsel	Attorney Client Communication Attorney Work Product
769	9/27/2019			Email Attachment - Word Doc	Attorney Work Product regarding permit appeal	Attorney Client Communication Attorney Work Product
770	9/27/2019	Peter Tester (MPCA)	Richard Clark (MPCA) Katrina Kessler (MPCA) Adonis Neblett (MPCA)	Email Attachment - Email	Communication between MPCA personnel	Attorney Client Communication Attorney Work Product
771	9/27/2019	Richard Clark (MPCA)	Rich Schwartz Jeff Udd (MPCA)	Email	Attorney communication with outside counsel	Attorney Client Communication Attorney Work Product
772	9/27/2019	Rich Schwartz	Richard Clark (MPCA) Jeff Udd (MPCA)	Email	Attorney communication with outside counsel	Attorney Client Communication Attorney Work Product
773	9/27/2019	Rich Schwartz	Adonis Neblett (MPCA) Richard Clark (MPCA) Jeff Udd (MPCA) Susan M. Mathiascheck John C. Martin	Email	Attorney communication with outside counsel	Attorney Client Communication Attorney Work Product
774	9/27/2019	Richard Clark (MPCA)	Rich Schwartz Jeff Udd (MPCA)	Email	Attorney communication with outside counsel	Attorney Client Communication Attorney Work Product
775	9/27/2019	Adonis Neblett (MPCA)	Richard Clark (MPCA) Rich Schwartz	Word Doc	Attorney communication with outside counsel	Attorney Client Communication Attorney Work Product

776	9/27/2019	Richard Clark (MPCA)	Adonis Neblett (MPCA) Jeff Udd (MPCA) CoriAhna Rude-Young (MPCA)	Email	Attorney communication with MPCA general counsel	Attorney Client Communication Attorney Work Product
777	9/27/2019			Email Attachment - Word Doc	Attorney Work Product regarding permit appeal	Attorney Client Communication Attorney Work Product
778	8/16/2019	Peter Tester (MPCA)	Richard Clark (MPCA)	Email	Work Product prepared at request of counsel	Attorney Client Communication Attorney Work Product
779	9/27/2019	Jeff Udd (MPCA)	Adonis Neblett (MPCA) Richard Clark (MPCA)	Email	Attorney communication with MPCA general counsel	Attorney Client Communication Attorney Work Product
780	9/27/2019	Adonis Neblett (MPCA)	Jeff Udd (MPCA) Richard Clark (MPCA)	Email	Attorney communication with MPCA general counsel	Attorney Client Communication Attorney Work Product
781	9/27/2019	Laura Bishop (MPCA)	Adonis Neblett (MPCA) Jeff Udd (MPCA) Peter Tester (MPCA) Richard Clark (MPCA) Katrina Kessler (MPCA) Darin Broton (MPCA)	Email	Attorney communication with MPCA general counsel	Attorney Client Communication Attorney Work Product
782	9/27/2019	Adonis Neblett (MPCA)	Laura Bishop (MPCA) Jeff Udd (MPCA) Peter Tester (MPCA) Richard Clark (MPCA) Katrina Kessler (MPCA) Darin Broton (MPCA)	Email	Attorney communication with MPCA general counsel	Attorney Client Communication Attorney Work Product
783	9/27/2019	Laura Bishop (MPCA)	Jeff Udd (MPCA) Peter Tester (MPCA) Richard Clark (MPCA) Katrina Kessler (MPCA) Darin Broton (MPCA) Adonis Neblett (MPCA)	Email	Attorney communication with agency personnel	Attorney Client Communication Attorney Work Product
784	9/27/2019	Jeff Udd (MPCA)	Peter Tester (MPCA) Richard Clark (MPCA) Katrina Kessler (MPCA) Laura Bishop (MPCA) Darin Broton (MPCA) Adonis Neblett (MPCA)	Email	Attorney communication with agency personnel	Attorney Client Communication Attorney Work Product

785	6/20/2019	Peter Tester (MPCA)	Richard Clark (MPCA)	Email	Forwarding attorney communication and work product	Attorney Client Communication
786	6/20/2019	Richard Clark (MPCA)	Peter Tester (MPCA)	Email	Forwarding attorney communication and work product	Attorney Client Communication
787	6/28/2019	Katrina Kessler (MPCA)	Richard Clark (MPCA) Jeff Udd (MPCA) Mary Connor (MPCA)	Email	Forwarding attorney communication and work product	Attorney Client Communication
788	9/27/2019	Rich Schwartz	Richard Clark (MPCA)	Email	Attorney communication with outside counsel	Attorney Client Communication Attorney Work Product
789	9/27/2019	Rich Schwartz	Richard Clark (MPCA) Adonis Neblett (MPCA)	Email	Attorney communication with outside counsel	Attorney Client Communication Attorney Work Product
790	9/27/2019	Rich Schwartz	Richard Clark (MPCA) Jeff Udd (MPCA) Timothy Bagshaw Adonis Neblett (MPCA)	Email	Attorney communication with outside counsel	Attorney Client Communication Attorney Work Product
791	9/27/2019	Rich Schwartz	Richard Clark (MPCA)	Email	Attorney communication with outside counsel	Attorney Client Communication Attorney Work Product
792	9/27/2019	Rich Schwartz	Richard Clark (MPCA) Jeff Udd (MPCA)	Email	Attorney communication with outside counsel	Attorney Client Communication Attorney Work Product
793	9/27/2019	Richard Clark (MPCA)	Rich Schwartz	Word Doc	Attorney communication with outside counsel	Attorney Client Communication Attorney Work Product
794	9/27/2019	Richard Clark (MPCA)	Adonis Neblett (MPCA) Rich Schwartz Jeff Udd (MPCA)	Email	Attorney communication with outside counsel	Attorney Client Communication Attorney Work Product
795	9/27/2019	Richard Clark (MPCA)	Rich Schwartz Susan M. Mathiascheck John C. Martin Timothy M. Bagshaw	Email	Attorney communication with outside counsel	Attorney Client Communication Attorney Work Product
796	9/27/2019	Richard Clark (MPCA)	Adonis Neblett (MPCA)	Email Attachment - Email	Attorney communication with MPCA general counsel	Attorney Client Communication Attorney Work Product
797	9/27/2019	Richard Clark (MPCA)	Rich Schwartz Adonis Neblett (MPCA)	Email Attachment - Word Doc	Attorney communication with outside counsel	Attorney Client Communication Attorney Work Product

798	9/27/2019	Adonis Neblett (MPCA)	Darin Broton (MPCA) Laura Bishop (MPCA) Peter Tester (MPCA) Katrina Kessler (MPCA) Greta Gauthier (MPCA) Richard Clark (MPCA) Jeff Udd (MPCA)	Visio Drawing	Attorney communication with MPCA general counsel	Attorney Client Communication Attorney Work Product
799	9/27/2019	Richard Clark (MPCA)	Adonis Neblett (MPCA) Stephanie Handeland (MPCA) Jeff Udd (MPCA) Deborah Klooz (MPCA) Darin Broton (MPCA)	Email Attachment - HTML Doc	Attorney communication with MPCA general counsel	Attorney Client Communication Attorney Work Product
800	9/27/2019	Adonis Neblett (MPCA)	Richard Clark (MPCA) Stephanie Handeland (MPCA) Jeff Udd (MPCA) Deborah Klooz (MPCA) Darin Broton (MPCA)	Email Attachment - PDF	Attorney communication with MPCA general counsel	Attorney Client Communication Attorney Work Product
801	9/27/2019	Adonis Neblett (MPCA)	Richard E. Schwartz Susan M. Mathiascheck Richard Clark (MPCA) Jeff Udd (MPCA)	Email Attachment - HTML Doc	Attorney communication with outside counsel	Attorney Client Communication Attorney Work Product
802	9/27/2019	Richard Clark (MPCA)	Adonis Neblett (MPCA) Jeff Udd (MPCA)	Email Attachment - Email	Attorney communication with MPCA general counsel	Attorney Client Communication Attorney Work Product
803	9/27/2019			Email Attachment - PDF	Attorney Work Product regarding permit appeal	Attorney Client Communication Attorney Work Product
804	9/27/2019			Email Attachment - Word Doc	Attorney Work Product regarding permit appeal	Attorney Client Communication Attorney Work Product
805	9/27/2019	Peter Tester (MPCA)	Richard Clark (MPCA) Katrina Kessler (MPCA) Adonis Neblett (MPCA)	Email Attachment - Email	Attorney communication with MPCA general counsel	Attorney Client Communication Attorney Work Product
806	9/27/2019	Richard Clark (MPCA)	Adonis Neblett (MPCA)	Email Attachment - Word Doc	Attorney communication with MPCA general counsel	Attorney Client Communication Attorney Work Product
807	9/27/2019	Richard Clark (MPCA)	Adonis Neblett (MPCA)	Word Doc	Attorney communication with MPCA general counsel	Attorney Client Communication Attorney Work Product

808	9/27/2019	Richard Clark (MPCA)	Rich Schwartz Jeff Udd (MPCA)	Word Doc	Attorney communication with outside counsel	Attorney Client Communication Attorney Work Product
809	9/27/2019	Rich Schwartz	Richard Clark (MPCA) Jeff Udd (MPCA)	Email	Attorney communication with outside counsel	Attorney Client Communication Attorney Work Product
810	9/27/2019	Rich Schwartz	Adonis Neblett (MPCA) Richard Clark (MPCA) Jeff Udd (MPCA) Susan M. Mathiascheck John C. Martin	Email	Attorney communication with outside counsel	Attorney Client Communication Attorney Work Product
811	9/27/2019	Richard Clark (MPCA)	Rich Schwartz Jeff Udd (MPCA)	Email	Attorney communication with outside counsel	Attorney Client Communication Attorney Work Product
812	9/27/2019	Adonis Neblett (MPCA)	Richard Clark (MPCA) Rich Schwartz	Email	Attorney communication with outside counsel	Attorney Client Communication Attorney Work Product
813	9/27/2019	Richard Clark (MPCA)	Adonis Neblett (MPCA) Jeff Udd (MPCA) CoriAhna Rude-Young (MPCA)	Email	Attorney communication with MPCA general counsel	Attorney Client Communication Attorney Work Product
814	9/27/2019			Email Attachment - Word Doc	Attorney communication with outside counsel	Attorney Client Communication Attorney Work Product
815	6/18/2019	Peter Tester (MPCA)	Richard Clark (MPCA)	Email	Work Product prepared at request of counsel	Attorney Client Communication Attorney Work Product
816	9/27/2019	Jeff Udd (MPCA)	Adonis Neblett (MPCA) Richard Clark (MPCA)	Word Doc	Attorney communication with MPCA general counsel	Attorney Client Communication Attorney Work Product
817	9/27/2019	Adonis Neblett (MPCA)	Jeff Udd (MPCA) Richard Clark (MPCA)	Email	Attorney communication with MPCA general counsel	Attorney Client Communication Attorney Work Product
818	9/27/2019	Laura Bishop (MPCA)	Adonis Neblett (MPCA) Jeff Udd (MPCA) Peter Tester (MPCA) Richard Clark (MPCA) Katrina Kessler (MPCA) Darin Broton (MPCA)	Word Doc	Attorney communication with MPCA general counsel	Attorney Client Communication Attorney Work Product

819	9/27/2019	Adonis Neblett (MPCA)	Laura Bishop (MPCA) Jeff Udd (MPCA) Peter Tester (MPCA) Richard Clark (MPCA) Katrina Kessler (MPCA) Darin Broton (MPCA)	Email	Attorney communication with MPCA general counsel	Attorney Client Communication Attorney Work Product
820	9/27/2019	Laura Bishop (MPCA)	Jeff Udd (MPCA) Peter Tester (MPCA) Richard Clark (MPCA) Katrina Kessler (MPCA) Darin Broton (MPCA) Adonis Neblett (MPCA)	Word Doc	Attorney communication with MPCA general counsel	Attorney Client Communication Attorney Work Product
821	9/27/2019	Jeff Udd (MPCA)	Peter Tester (MPCA) Richard Clark (MPCA) Katrina Kessler (MPCA) Laura Bishop (MPCA) Darin Broton (MPCA) Adonis Neblett (MPCA)	Email	Attorney communication with MPCA general counsel	Attorney Client Communication Attorney Work Product
822	6/20/2019	Peter Tester (MPCA)	Richard Clark (MPCA)	Email	Forwarding attorney communication and work product	Attorney Client Communication Attorney Work Product
823	6/20/2019	Richard Clark (MPCA)	Peter Tester (MPCA)	Email	Forwarding attorney communication and work product	Attorney Client Communication Attorney Work Product
824	6/28/2019	Katrina Kessler (MPCA)	Richard Clark (MPCA) Jeff Udd (MPCA) Mary Connor (MPCA)	Word Doc	Forwarding attorney communication and work product	Attorney Client Communication Attorney Work Product
825	9/27/2019	Rich Schwartz	Richard Clark (MPCA)	Email	Attorney communication with outside counsel	Attorney Client Communication Attorney Work Product
826	9/27/2019	Rich Schwartz	Richard Clark (MPCA) Adonis Neblett (MPCA)	Word Doc	Attorney communication with outside counsel	Attorney Client Communication Attorney Work Product
827	9/27/2019	Rich Schwartz	Richard Clark (MPCA) Jeff Udd (MPCA) Timothy Bagshaw Adonis Neblett (MPCA)	Email	Attorney communication with outside counsel	Attorney Client Communication Attorney Work Product
828	9/27/2019	Rich Schwartz	Richard Clark (MPCA)	Word Doc	Attorney communication with outside counsel	Attorney Client Communication Attorney Work Product

829	9/27/2019	Rich Schwartz	Richard Clark (MPCA) Jeff Udd (MPCA)	Email	Attorney communication with outside counsel	Attorney Client Communication Attorney Work Product
830	9/27/2019	Richard Clark (MPCA)	Rich Schwartz	Email	Attorney communication with outside counsel	Attorney Client Communication Attorney Work Product
831	9/27/2019	Richard Clark (MPCA)	Adonis Neblett (MPCA) Rich Schwartz Jeff Udd (MPCA)	Email	Attorney communication with MPCA general counsel	Attorney Client Communication Attorney Work Product
832	10/10/2019	Susan Mathiascheck	Richard Clark (MPCA)	Email	Attorney communication with outside counsel	Attorney Client Communication Attorney Work Product
833	DOCUMENT REMOVED FROM PRIVILEGE LOG - PRODUCED 11/20/2019					
834	DOCUMENT REMOVED FROM PRIVILEGE LOG - PRODUCED 11/20/2019					
835	DOCUMENT REMOVED FROM PRIVILEGE LOG - PRODUCED 11/20/2019					
836	9/25/2019	Susan M. Mathiascheck	Rich Schwartz John C. Martin Trisa J. DiPaola	Email	Attorney communication with outside counsel	Attorney Client Communication Attorney Work Product
837	9/25/2019			Email Attachment - Word Doc	Attorney communication with outside counsel	Attorney Client Communication
838	9/25/2019			Visio Drawing	Attorney communication with outside counsel	Attorney Client Communication
839	9/25/2019			Email Attachment	Attorney communication with outside counsel	Attorney Client Communication
840	9/25/2019			Email Attachment - PDF	Attorney communication with outside counsel	Attorney Client Communication
841	9/25/2019			Email Attachment	Attorney communication with outside counsel	Attorney Client Communication
842	DOCUMENT REMOVED FROM PRIVILEGE LOG - PRODUCED 11/20/2019					
843	DOCUMENT REMOVED FROM PRIVILEGE LOG - PRODUCED 11/20/2019					
844	1/15/2019	Michael R Schmidt (MPCA)	Shannon Lotthammer (MPCA) Jeff Udd (MPCA)	Email	Attorney communication with agency personnel	Attorney Client Communication Attorney Work Product
845	10/10/2019	Michael R Schmidt (MPCA)	Shannon Lotthammer (MPCA) Jeff Udd (MPCA) Adonis Neblett (MPCA)	Email	Attorney communication with agency personnel	Attorney Client Communication Attorney Work Product
846	10/10/2019			Word Doc	Attorney communication with MPCA general counsel	Attorney Client Communication Attorney Work Product

847	10/10/2019			Word Doc	Attorney communication with MPCA general counsel	Attorney Client Communication Attorney Work Product
848	10/10/2019			Word Doc	Attorney communication with MPCA general counsel	Attorney Client Communication Attorney Work Product
849	9/6/2019	Susan M. Mathiascheck	Rich Schwartz	Email	Attorney communication with MPCA general counsel	Attorney Client Communication Attorney Work Product
850	7/12/2019	Susan M. Mathiascheck	Trisa J. DiPaola	Email	Attorney Work Product regarding permit appeal	Attorney Client Communication Attorney Work Product
851	10/10/2019	Susan M. Mathiascheck	Brita Larsen Bryson C. Smith	Email	Attorney communication with MPCA general counsel	Attorney Client Communication Attorney Work Product
852	10/10/2019	Susan M. Mathiascheck	Brita Larsen Bryson C. Smith John C. Martin	Email	Attorney communication with MPCA general counsel	Attorney Client Communication Attorney Work Product
853	10/10/2019	Adonis Neblett (MPCA)	#MPCA_All Staff-MPCA Only Celeste Courneya (MPCA) Chris Malec (MPCA) Leslie Fredrickson(MPCA) Adonis Neblett (MPCA)	Email Attachment - Email	Attorney Work Product regarding permit appeal	Attorney Client Communication Attorney Work Product
854	8/28/2019	Susan M. Mathiascheck	John C. Martin	Email	Attorney Work Product regarding permit appeal	Attorney Client Communication Attorney Work Product
855	7/10/2019	Susan M. Mathiascheck	Rich Schwartz	Email	Attorney Work Product regarding permit appeal	Attorney Client Communication Attorney Work Product
856	7/10/2019			Email Attachment - Word Doc	Attorney Work Product regarding permit appeal	Attorney Client Communication Attorney Work Product
857	7/10/2019	Susan M. Mathiascheck	John C. Martin	Email	Attorney Work Product regarding permit appeal	Attorney Client Communication Attorney Work Product
858	7/10/2019			Email Attachment - Word Doc	Attorney Work Product regarding permit appeal	Attorney Client Communication Attorney Work Product
859	7/10/2019	Susan M. Mathiascheck	Chris D. Mack Samuel R. Yemington	Email	Attorney Work Product regarding permit appeal	Attorney Client Communication Attorney Work Product

860	7/10/2019			Email Attachment - Word Doc	Attorney Work Product regarding permit appeal	Attorney Client Communication Attorney Work Product
861	6/28/2019	Susan M. Mathiascheck	John C. Martin	Email	Attorney communication with MPCA general counsel	Attorney Client Communication Attorney Work Product
862	9/26/2019	Susan M. Mathiascheck	Adonis Neblett Rich Schwartz John C. Martin	Email	Attorney communication with MPCA general counsel	Attorney Client Communication Attorney Work Product
863	8/1/2019	Susan M. Mathiascheck	Adonis Neblett (MPCA) John C. Martin Bryson C. Smith	Email	Attorney Work Product regarding permit appeal	Attorney Client Communication Attorney Work Product
864	8/1/2019			Email Attachment - Word Doc	Attorney Work Product regarding permit development	Attorney Client Communication Attorney Work Product
865	7/18/2019	Susan M. Mathiascheck	Adonis Neblett (MPCA) John C. Martin Rich Schwartz	Email	Attorney Work Product regarding permit appeal	Attorney Client Communication Attorney Work Product
866	7/18/2019			Email Attachment - Word Doc	Attorney Work Product regarding permit appeal	Attorney Client Communication Attorney Work Product
867	8/28/2019	Susan M. Mathiascheck	Adonis Neblett (MPCA) Bryson C. Smith John C. Martin Rich Schwartz	Email	Attorney Work Product regarding permit appeal	Attorney Client Communication Attorney Work Product
868	8/28/2019			Email Attachment - Word Doc	Attorney Work Product regarding permit appeal	Attorney Client Communication Attorney Work Product
869	9/26/2019	Susan M. Mathiascheck	Adonis Neblett John C. Martin Rich Schwartz	Email	Attorney communication with MPCA general counsel	Attorney Client Communication Attorney Work Product
870	7/10/2019	Susan M. Mathiascheck	Rich Schwartz John C. Martin	Email	Attorney communication with outside counsel	Attorney Client Communication Attorney Work Product
871	7/10/2019			Email Attachment - Word Doc	Attorney Work Product regarding permit appeal	Attorney Client Communication Attorney Work Product
872	10/1/2019	Susan M. Mathiascheck	Rich Schwartz John C. Martin Timothy M. Bagshaw	Email	Attorney Work Product regarding permit appeal	Attorney Client Communication Attorney Work Product

873	9/25/2019	Susan M. Mathiascheck	Timothy M. Bagshaw John C. Martin Rich Schwartz	Email	Attorney Work Product regarding permit appeal	Attorney Client Communication Attorney Work Product
874	10/4/2019	Susan M. Mathiascheck	Adonis Neblett	Email	Attorney communication with MPCA general counsel	Attorney Client Communication Attorney Work Product
875	10/9/2019	Susan M. Mathiascheck	Adonis A. Neblett Richard Clark (MPCA) Bryson C. Smith Rich Schwartz John C. Martin	Email	Attorney communication with MPCA general counsel	Attorney Client Communication Attorney Work Product
876	10/7/2019	Susan M. Mathiascheck	Adonis A. Neblett Richard Clark (MPCA) Bryson C. Smith Rich Schwartz John C. Martin	Email	Attorney communication with MPCA general counsel	Attorney Client Communication Attorney Work Product
877	10/7/2019	Susan M. Mathiascheck	Adonis A. Neblett Richard Clark (MPCA) Bryson C. Smith Rich Schwartz John C. Martin	Email	Attorney communication with MPCA general counsel	Attorney Client Communication Attorney Work Product
878	10/2/2019	Susan M. Mathiascheck	Rich Schwartz John C. Martin Bryson C. Smith Timothy M. Bagshaw	Email	Attorney Work Product regarding permit appeal	Attorney Client Communication Attorney Work Product
879	9/12/2019	Susan M. Mathiascheck	Rich Schwartz	Email	Attorney communication with outside counsel	Attorney Client Communication Attorney Work Product
880	9/12/2019	Susan M. Mathiascheck	Rich Schwartz	Email	Attorney Work Product regarding permit appeal	Attorney Client Communication Attorney Work Product
881	9/12/2019	Susan M. Mathiascheck	Rich Schwartz John C. Martin Bryson C. Smith	Email	Attorney Work Product regarding permit appeal	Attorney Client Communication Attorney Work Product
882	6/25/2019	Susan M. Mathiascheck	Timothy M. Bagshaw Trisa J. DiPaola	Email	Attorney communication with MPCA general counsel	Attorney Client Communication Attorney Work Product
883	10/3/2019	Susan M. Mathiascheck	Adonis Neblett (MPCA) Timothy M. Bagshaw John C. Martin Rich Schwartz	Email	Attorney communication with MPCA general counsel	Attorney Client Communication Attorney Work Product

884	10/2/2019	Susan M. Mathiascheck	Adonis Neblett (MPCA) Leslie Fredrickson(MPCA) Timothy M. Bagshaw Chelsea Davis John C. Martin Rich Schwartz Emily Schilling	Email	Attorney communication with MPCA general counsel	Attorney Client Communication Attorney Work Product
885	7/3/2019	Susan M. Mathiascheck	Rich Schwartz	Email	Attorney communication with MPCA general counsel	Attorney Client Communication Attorney Work Product
886	7/31/2019	Susan M. Mathiascheck	John C. Martin	Email	Attorney communication with MPCA general counsel	Attorney Client Communication Attorney Work Product
887	9/26/2019	Susan M. Mathiascheck	Peter Tester (MPCA) John C. Martin Adonis Neblett (MPCA) Rich Schwartz	Email	Attorney communication with MPCA general counsel	Attorney Client Communication Attorney Work Product
888	9/30/2019	Susan M. Mathiascheck	Bryson C. Smith	Email	Attorney communication with MPCA general counsel	Attorney Client Communication Attorney Work Product
889	10/6/2019	Susan M. Mathiascheck	Rich Schwartz Timothy M. Bagshaw John C. Martin Bryson C. Smith	Email	Attorney communication with MPCA general counsel	Attorney Client Communication Attorney Work Product
890	9/10/2019	Susan M. Mathiascheck	Rich Schwartz	Email	Attorney Work Product regarding permit appeal	Attorney Client Communication Attorney Work Product
891	10/3/2019	Susan M. Mathiascheck	Adonis Neblett (MPCA) Rich Schwartz John C. Martin Timothy M. Bagshaw	Email	Attorney communication with MPCA general counsel	Attorney Client Communication Attorney Work Product
892	10/8/2019	Susan M. Mathiascheck	Bryson C. Smith	Email	Attorney Work Product regarding permit appeal	Attorney Client Communication Attorney Work Product
893	9/27/2019	Susan M. Mathiascheck	Rich Schwartz John C. Martin Timothy M. Bagshaw	Email	Attorney communication with agency personnel	Attorney Client Communication Attorney Work Product
894	9/27/2019	Susan M. Mathiascheck	Rich Schwartz	Email	Attorney communication with agency personnel	Attorney Client Communication Attorney Work Product

895	10/7/2019	Susan M. Mathiascheck	Rich Schwartz Timothy M. Bagshaw Bryson C. Smith John C. Martin	Email	Attorney communication with agency personnel	Attorney Client Communication Attorney Work Product
896	9/27/2019	Susan M. Mathiascheck	Rich Schwartz John C. Martin Timothy M. Bagshaw	Email	Attorney communication with agency personnel	Attorney Client Communication Attorney Work Product
897	9/30/2019	Susan M. Mathiascheck	Timothy M. Bagshaw	Email	Attorney communication with agency personnel	Attorney Client Communication Attorney Work Product
898	9/30/2019	Susan M. Mathiascheck	Timothy M. Bagshaw Rich Schwartz John C. Martin	Email	Attorney communication with agency personnel	Attorney Client Communication Attorney Work Product
899	9/30/2019	Susan M. Mathiascheck	Timothy M. Bagshaw	Email	Attorney communication with outside counsel	Attorney Client Communication Attorney Work Product
900	9/27/2019	Susan M. Mathiascheck	John C. Martin	Email	Attorney communication with outside counsel	Attorney Client Communication Attorney Work Product
901	9/30/2019	Susan M. Mathiascheck	Richard Clark (MPCA) Timothy M. Bagshaw Rich Schwartz John C. Martin	Email	Attorney communication with outside counsel	Attorney Client Communication Attorney Work Product
902	9/27/2019	Susan M. Mathiascheck	Richard Clark (MPCA) Rich Schwartz John C. Martin Timothy M. Bagshaw	Email	Communication between MPCA personnel	Attorney Client Communication Attorney Work Product
903	10/7/2019	Susan M. Mathiascheck	Timothy M. Bagshaw Rich Schwartz Bryson C. Smith John C. Martin	Email	Attorney communication with outside counsel	Attorney Client Communication Attorney Work Product
904	7/24/2019	Susan M. Mathiascheck	Adonis Neblett (MPCA) John C. Martin Trisa J. DiPaola	Email	Attorney communication with MPCA general counsel	Attorney Client Communication Attorney Work Product
905	8/28/2019	Susan M. Mathiascheck	John C. Martin	Word Doc	Attorney communication with MPCA general counsel	Attorney Client Communication Attorney Work Product
906	8/28/2019	Susan M. Mathiascheck	John C. Martin	Email	Attorney communication with MPCA general counsel	Attorney Client Communication Attorney Work Product
907	8/28/2019	Susan M. Mathiascheck	John C. Martin	Email	Attorney communication with MPCA general counsel	Attorney Client Communication Attorney Work Product

908	10/8/2019	Susan M. Mathiascheck	Timothy M. Bagshaw	Email	Attorney Work Product regarding permit appeal	Attorney Client Communication Attorney Work Product
909	10/8/2019	Susan M. Mathiascheck	Timothy M. Bagshaw	Email	Attorney communication with outside counsel	Attorney Client Communication Attorney Work Product
910	10/1/2019	Susan M. Mathiascheck	John C. Martin Bryson C. Smith Rich Schwartz Timothy M. Bagshaw	Email	Attorney Work Product regarding permit appeal	Attorney Client Communication Attorney Work Product
911	10/1/2019	Susan M. Mathiascheck	John C. Martin Bryson C. Smith Rich Schwartz Timothy M. Bagshaw	Email	Attorney Work Product regarding permit appeal	Attorney Client Communication Attorney Work Product
912	9/23/2019	Susan M. Mathiascheck	Rich Schwartz John C. Martin	Email	Attorney Work Product regarding permit appeal	Attorney Client Communication Attorney Work Product
913	7/8/2019	Susan M. Mathiascheck	Adonis Neblett (MPCA) John C. Martin	Email	Attorney communication with MPCA general counsel	Attorney Client Communication Attorney Work Product
914	10/2/2019	Susan M. Mathiascheck	Timothy M. Bagshaw Adonis A. Neblett John C. Martin Rich Schwartz Brita Larsen	Email	Attorney communication with MPCA general counsel	Attorney Client Communication Attorney Work Product
915	7/9/2019	Susan M. Mathiascheck	Rich Schwartz John C. Martin	Email	Attorney Work Product regarding permit appeal	Attorney Client Communication Attorney Work Product
916	7/9/2019	Susan M. Mathiascheck	Rich Schwartz John C. Martin	Email	Attorney Work Product regarding permit appeal	Attorney Client Communication Attorney Work Product
917	10/8/2019	Susan M. Mathiascheck	Rich Schwartz Bryson C. Smith Trisa J. DiPaola John C. Martin	Word Doc	Attorney Work Product regarding permit appeal	Attorney Client Communication Attorney Work Product
918	10/8/2019	Susan M. Mathiascheck	Bryson C. Smith Trisa J. DiPaola Rich Schwartz John C. Martin	Email	Attorney Work Product regarding permit appeal	Attorney Client Communication Attorney Work Product
919	10/9/2019	Susan M. Mathiascheck	Rich Schwartz Adonis Neblett (MPCA) John C. Martin	Email	Attorney communication with MPCA general counsel	Attorney Client Communication Attorney Work Product

920	7/1/2019	Susan M. Mathiascheck	Adonis Neblett (MPCA) Leslie Fredrickson(MPCA) Chelsea Davis John C. Martin	Email	Attorney communication with MPCA general counsel	Attorney Client Communication Attorney Work Product
921	7/8/2019	Susan M. Mathiascheck	Rich Schwartz John C. Martin	Email	Attorney Work Product regarding permit appeal	Attorney Client Communication Attorney Work Product
922	7/8/2019	Susan M. Mathiascheck	Rich Schwartz John C. Martin	PDF	Attorney Work Product regarding permit appeal	Attorney Client Communication Attorney Work Product
923	7/25/2019	Susan M. Mathiascheck	Trisa J. DiPaola John C. Martin	PDF	Attorney Work Product regarding permit appeal	Attorney Client Communication Attorney Work Product
924	6/27/2019	Susan M. Mathiascheck	Adonis Neblett (MPCA)	PDF	Attorney communication with MPCA general counsel	Attorney Client Communication Attorney Work Product
925	6/27/2019	Susan M. Mathiascheck	Adonis Neblett (MPCA)	PDF	Attorney communication with MPCA general counsel	Attorney Client Communication Attorney Work Product
926	10/4/2019	Susan M. Mathiascheck	Adonis Neblett (MPCA) Rich Schwartz John C. Martin Timothy M. Bagshaw	PDF	Attorney communication with outside counsel	Attorney Client Communication Attorney Work Product
927	10/4/2019	Susan M. Mathiascheck	Rich Schwartz Timothy M. Bagshaw Erica K. Nannini John C. Martin	Email	Attorney Work Product regarding permit appeal	Attorney Client Communication Attorney Work Product
928	10/9/2019	Susan M. Mathiascheck	Richard Clark (MPCA)	Email	Attorney Work Product regarding permit appeal	Attorney Client Communication Attorney Work Product
929	10/8/2019	Susan M. Mathiascheck	Richard Clark (MPCA)	Email	Attorney Work Product regarding permit appeal	Attorney Client Communication Attorney Work Product
930	7/30/2019	Susan M. Mathiascheck	John C. Martin Rich Schwartz	Email	Attorney Work Product regarding permit appeal	Attorney Client Communication Attorney Work Product
931	7/30/2019			Email Attachment - Word Doc	Attorney Work Product regarding permit appeal	Attorney Client Communication Attorney Work Product

932	10/10/2019	Susan M. Mathiascheck	Adonis Neblett (MPCA) John C. Martin Rich Schwartz Bryson C. Smith Brita Larsen Timothy M. Bagshaw	Word Doc	Attorney communication with outside counsel	Attorney Client Communication Attorney Work Product
933	10/10/2019	Susan M. Mathiascheck	Adonis Neblett (MPCA) John C. Martin Rich Schwartz Bryson C. Smith Brita Larsen Timothy M. Bagshaw	Email	Attorney communication with outside counsel	Attorney Client Communication Attorney Work Product
934	9/23/2019	Stephanie Handeland (MPCA)	Adonis Neblett (MPCA) Richard Clark (MPCA) Jeff Udd (MPCA) Rich Schwartz John C. Martin Susan M. Mathiascheck	Email	Attorney communication with agency personnel	Attorney Client Communication Attorney Work Product
935	10/8/2019	Timothy M. Bagshaw	Susan M. Mathiascheck	Email	Attorney Work Product regarding permit development	Attorney Client Communication Attorney Work Product
936	10/8/2019			Email Attachment - PDF	Rich Schwartz Attorney Work Product	Attorney Work Product
937	10/8/2019			Email Attachment - PDF	Attorney communication with agency personnel	Attorney Client Communication Attorney Work Product
938	10/8/2019			Email Attachment - Word Doc	Rich Schwartz Attorney Work Product	Attorney Work Product
939	10/8/2019			Email Attachment - PDF	Rich Schwartz Attorney Work Product	Attorney Work Product
940	10/8/2019			Email Attachment - PDF	Rich Schwartz Attorney Work Product	Attorney Work Product
941	6/25/2019	Adonis Neblett (MPCA)	#MPCA_All Staff-MPCA Only Courneya, Celeste (MPCA) Malec, Chris (MPCA) Leslie Fredrickson(MPCA) Adonis Neblett (MPCA)	Email	Attorney communication with MPCA general counsel	Attorney Client Communication Attorney Work Product
942	9/27/2019	Robert Kostinec (MPCA)	Theresa Haugen (MPCA) Stephanie Handeland (MPCA)	Email	Work Product prepared at request of counsel	Attorney Work Product
943	9/30/2019	Theresa Haugen (MPCA)	Stephanie Handeland (MPCA)	Email	Work Product prepared at request of counsel	Attorney Client Communication Attorney Work Product

944	9/24/2019	Danielle Drussell (MPCA)	Theresa Haugen (MPCA) Stephanie Handeland (MPCA)	Email	Work Product prepared at request of counsel	Attorney Work Product
945	9/27/2019	Robert Kostinec (MPCA)	Theresa Haugen (MPCA) Stephanie Handeland (MPCA)	Email	Work Product prepared at request of counsel	Attorney Work Product
946	DOCUMENT REMOVED FROM PRIVILEGE LOG - PRODUCED 11/20/2019					
947	9/27/2019	Robert Kostinec (MPCA)	Theresa Haugen (MPCA) Stephanie Handeland (MPCA)	Email	Work Product prepared at request of counsel	Attorney Work Product
948	9/27/2019	Elise Doucette (MPCA)	Stephanie Handeland (MPCA) Jeff Udd (MPCA) Richard Clark (MPCA)	Email	Work Product prepared at request of counsel	Attorney Work Product
949	7/12/2018	Richard Clark (MPCA); Stephanie Handeland (MPCA); Michael R Schmidt (MPCA)		Word Doc	Work product created at request of counsel, Michael Schmidt attorney-client communications and work product	Attorney Client Communication Attorney Work Product
950	7/12/2018	Richard Clark (MPCA); Stephanie Handeland (MPCA); Michael R Schmidt (MPCA)		Word Doc	Work product created at request of counsel, Michael Schmidt attorney-client communications and work product	Attorney Client Communication Attorney Work Product
951	7/12/2018	Richard Clark (MPCA); Stephanie Handeland (MPCA); Michael R Schmidt (MPCA)		Word Doc	Work product created at request of counsel, Michael Schmidt attorney-client communications and work product	Attorney Client Communication Attorney Work Product
952	6/4/2018	Richard Clark (MPCA); Stephanie Handeland (MPCA); Michael R Schmidt (MPCA)		Word Doc	Work product created at request of counsel, Michael Schmidt attorney-client communications and work product	Attorney Client Communication Attorney Work Product
953	7/16/2018	Michael R Schmidt (MPCA)		Word Doc	Michael Schmidt attorney work product	Attorney Client Communication Attorney Work Product
954	6/4/2018	Richard Clark (MPCA); Stephanie Handeland (MPCA); Michael R Schmidt (MPCA)		Word Doc	Work product created at request of counsel, Michael Schmidt attorney-client communications and work product	Attorney Client Communication Attorney Work Product

955	6/4/2018	Richard Clark (MPCA); Stephanie Handeland (MPCA); Michael R Schmidt (MPCA)		Word Doc	Work product created at request of counsel, Michael Schmidt attorney- client communications and work product	Attorney Client Communication Attorney Work Product
956	6/4/2018	Richard Clark (MPCA); Stephanie Handeland (MPCA); Michael Schmidt		Excel Doc	Work product created at request of counsel, Michael Schmidt attorney- client communications and work product	Attorney Client Communication Attorney Work Product
957	6/8/2018	Richard Clark (MPCA); Stephanie Handeland (MPCA); Michael R Schmidt (MPCA)		Excel Doc	Work product created at request of counsel, Michael Schmidt attorney- client communications and work product	Attorney Client Communication Attorney Work Product
958	7/12/2018	Richard Clark (MPCA); Stephanie Handeland (MPCA); Michael Schmidt		Excel Doc	Work product created at request of counsel, Michael Schmidt attorney- client communications and work product	Attorney Client Communication Attorney Work Product
959	6/1/2018	Richard Clark (MPCA); Stephanie Handeland (MPCA); Michael R Schmidt (MPCA)		Excel Doc	Work product created at request of counsel, Michael Schmidt attorney- client communications and work product	Attorney Client Communication Attorney Work Product
960	6/28/2018	Richard Clark (MPCA); Stephanie Handeland (MPCA); Michael R Schmidt (MPCA)		Excel Doc	Work product created at request of counsel, Michael Schmidt attorney- client communications and work product	Attorney Client Communication Attorney Work Product
961	6/4/2018	Richard Clark (MPCA); Stephanie Handeland (MPCA); Michael R Schmidt (MPCA)		Excel Doc	Work product created at request of counsel, Michael Schmidt attorney- client communications and work product	Attorney Client Communication Attorney Work Product
962	6/28/2018	Richard Clark (MPCA); Stephanie Handeland (MPCA); Michael R Schmidt (MPCA)		Excel Doc	Work product created at request of counsel, Michael Schmidt attorney- client communications and work product	Attorney Client Communication Attorney Work Product
963	7/2/2018	Richard Clark (MPCA); Stephanie Handeland (MPCA); Michael Schmidt		Excel Doc	Work product created at request of counsel, Michael Schmidt attorney- client communications and work product	Attorney Client Communication Attorney Work Product

964	6/18/2018	Richard Clark (MPCA); Stephanie Handeland (MPCA); Michael R Schmidt (MPCA)		Excel Doc	Work product created at request of counsel, Michael Schmidt attorney- client communications and work product	Attorney Client Communication Attorney Work Product
965	7/12/2018	Richard Clark (MPCA); Stephanie Handeland (MPCA); Michael R Schmidt (MPCA)		Excel Doc	Work product created at request of counsel, Michael Schmidt attorney- client communications and work product	Attorney Client Communication Attorney Work Product
966	7/12/2018	Richard Clark (MPCA); Stephanie Handeland (MPCA); Michael R Schmidt (MPCA)		Excel Doc	Work product created at request of counsel, Michael Schmidt attorney- client communications and work product	Attorney Client Communication Attorney Work Product
967	7/12/2018	Richard Clark (MPCA); Stephanie Handeland (MPCA); Michael R Schmidt (MPCA)		Excel Doc	Work product created at request of counsel, Michael Schmidt attorney- client communications and work product	Attorney Client Communication Attorney Work Product
968	6/1/2018	Richard Clark (MPCA); Stephanie Handeland (MPCA); Michael R Schmidt (MPCA)		Excel Doc	Work product created at request of counsel, Michael Schmidt attorney- client communications and work product	Attorney Client Communication Attorney Work Product
969	6/4/2018	Richard Clark (MPCA); Stephanie Handeland (MPCA); Michael R Schmidt (MPCA)		Excel Doc	Work product created at request of counsel, Michael Schmidt attorney- client communications and work product	Attorney Client Communication Attorney Work Product
970	6/8/2018	Richard Clark (MPCA); Stephanie Handeland (MPCA); Michael R Schmidt (MPCA)		Excel Doc	Work product created at request of counsel, Michael Schmidt attorney- client communications and work product	Attorney Client Communication Attorney Work Product
971	6/28/2018	Richard Clark (MPCA); Stephanie Handeland (MPCA); Michael R Schmidt (MPCA)		Excel Doc	Work product created at request of counsel, Michael Schmidt attorney- client communications and work product	Attorney Client Communication Attorney Work Product

972	7/17/2018	Richard Clark (MPCA); Stephanie Handeland (MPCA); Michael R Schmidt (MPCA)		Excel Doc	Work product created at request of counsel, Michael Schmidt attorney- client communications and work product	Attorney Client Communication Attorney Work Product
973	6/1/2018	Richard Clark (MPCA); Stephanie Handeland (MPCA); Michael R Schmidt (MPCA)		Excel Doc	Work product created at request of counsel, Michael Schmidt attorney- client communications and work product	Attorney Client Communication Attorney Work Product
974	6/18/2019	Adonis Neblett (MPCA)	Rich Schwartz Timothy M. Bagshaw Susan M. Mathiascheck John C. Martin	Email	Attorney communication with outside counsel	Attorney Client Communication Attorney Work Product
975	6/18/2019			Email Attachment - Word Doc	Attorney communication with outside counsel	Attorney Client Communication Attorney Work Product
976	6/18/2019			Email Attachment - Word Doc	Attorney communication with outside counsel	Attorney Client Communication Attorney Work Product
977	10/3/2019			Email Attachment - PDF	Communication between MPCA personnel	Attorney Client Communication
978	DOCUMENT REMOVED FROM PRIVILEGE LOG - PRODUCED 11/20/2019					
979	DOCUMENT REMOVED FROM PRIVILEGE LOG - PRODUCED 11/20/2019					
980	1/15/2019	Michael R Schmidt (MPCA)	Shannon Lotthammer (MPCA) Jeff Udd (MPCA)	PDF	Attorney communication with agency personnel	Attorney Client Communication Attorney Work Product
981	10/3/2019	Michael R Schmidt (MPCA)	Shannon Lotthammer (MPCA) Jeff Udd (MPCA) Adonis Neblett (MPCA)	PDF	Attorney communication with MPCA general counsel	Attorney Client Communication Attorney Work Product
982	10/3/2019			PDF	Attorney communication with MPCA general counsel	Attorney Client Communication Attorney Work Product
983	10/3/2019			PDF	Attorney communication with MPCA general counsel	Attorney Client Communication Attorney Work Product
984	10/3/2019			PDF	Attorney communication with MPCA general counsel	Attorney Client Communication Attorney Work Product
985	DOCUMENT REMOVED FROM PRIVILEGE LOG - PRODUCED 11/20/2019					

986	DOCUMENT REMOVED FROM PRIVILEGE LOG - PRODUCED 11/20/2019					
987	8/2/2019	Darin Broton (MPCA)	Laura Bishop (MPCA) Peter Tester (MPCA) Adonis Neblett (MPCA) Katrina Kessler (MPCA) Greta Gauthier (MPCA)	Email Attachment - PDF	Attorney communication with agency personnel	Attorney Client Communication Attorney Work Product
988	8/20/2019	Adonis Neblett (MPCA)	Rich Schwartz Susan M. Mathiascheck John C. Martin	PDF	Attorney communication with outside counsel	Attorney Client Communication Attorney Work Product
989	8/20/2019			Email Attachment - PDF	Attorney communication with outside counsel	Attorney Client Communication Attorney Work Product
990	8/20/2019			Email Attachment - PDF	Attorney communication with outside counsel	Attorney Client Communication Attorney Work Product
991	8/20/2019			Email Attachment - PDF	Attorney communication with outside counsel	Attorney Client Communication Attorney Work Product
992	8/20/2019			Email Attachment - PDF	Attorney communication with outside counsel	Attorney Client Communication Attorney Work Product
993	8/20/2019			Email Attachment - PDF	Attorney communication with outside counsel	Attorney Client Communication Attorney Work Product
994	8/20/2019			Email Attachment - Word Doc	Attorney communication with outside counsel	Attorney Client Communication Attorney Work Product
995	8/20/2019			Email Attachment - Word Doc	Attorney communication with outside counsel	Attorney Client Communication Attorney Work Product
996	8/20/2019			Email Attachment - Word Doc	Attorney communication with outside counsel	Attorney Client Communication Attorney Work Product
997	10/4/2019	Adonis Neblett (MPCA)	Laura Bishop (MPCA) Peter Tester (MPCA) Katrina Kessler (MPCA) Darin Broton (MPCA) Leslie Fredrickson(MPCA)	Email	Attorney communication with agency personnel	Attorney Client Communication Attorney Work Product

## ## #	10/8/2019	Greta Gauthier (MPCA)	Laura Bishop (MPCA) Darin Broton (MPCA) Katrina Kessler (MPCA) Peter Tester (MPCA) Suzanne Sobotka (GOV) Adonis Neblett (MPCA)	Email	Communication between MPCA personnel	Attorney Client Communication Attorney Work Product
## ## #	10/8/2019	Laura Bishop (MPCA)	Darin Broton (MPCA) Katrina Kessler (MPCA) Greta Gauthier (MPCA) Peter Tester (MPCA) Suzanne Sobotka (GOV) Adonis Neblett (MPCA)	Email	Communication between MPCA personnel	Attorney Client Communication Attorney Work Product
## ## #	10/8/2019	Darin Broton (MPCA)	Katrina Kessler (MPCA) Greta Gauthier (MPCA) Laura Bishop (MPCA) Peter Tester (MPCA) Suzanne Sobotka (GOV) Adonis Neblett (MPCA)	Email	Communication between MPCA personnel	Attorney Client Communication Attorney Work Product
##	DOCUMENT REMOVED FROM PRIVILEGE LOG - PRODUCED 11/20/2019					
##	DOCUMENT REMOVED FROM PRIVILEGE LOG - PRODUCED 11/20/2019					
##	DOCUMENT REMOVED FROM PRIVILEGE LOG - PRODUCED 11/20/2019					
## ## #	10/8/2019	Greta Gauthier (MPCA)	Laura Bishop (MPCA) Adonis Neblett (MPCA) Darin Broton (MPCA) Katrina Kessler (MPCA) Peter Tester (MPCA) Suzanne Sobotka (GOV)	Email	Communication between MPCA personnel	Attorney Client Communication Attorney Work Product
##	DOCUMENT REMOVED FROM PRIVILEGE LOG - PRODUCED 11/20/2019					
##	DOCUMENT REMOVED FROM PRIVILEGE LOG - PRODUCED 11/20/2019					
##	DOCUMENT REMOVED FROM PRIVILEGE LOG - PRODUCED 11/20/2019					
##	DOCUMENT REMOVED FROM PRIVILEGE LOG - PRODUCED 11/20/2019					
##	DOCUMENT REMOVED FROM PRIVILEGE LOG - PRODUCED 11/20/2019					
## ## #	10/12/2019	Peter Tester (MPCA)	John C. Martin Adonis Neblett (MPCA) Rich Schwartz Susan M. Mathiascheck Bryson C. Smith Katrina Kessler (MPCA)	Email	Attorney communication with agency personnel	Attorney Client Communication Attorney Work Product

## ## #	10/14/2019	Stephanie Handeland (MPCA)	Brita Larsen Jeff Udd (MPCA) Richard Clark (MPCA) Adonis Neblett (MPCA) Rich Schwartz John C. Martin Susan M. Mathiascheck	Email	Attorney communication with agency personnel	Attorney Client Communication Attorney Work Product
## ## #	10/14/2019	Brita Larsen	Stephanie Handeland (MPCA) Jeff Udd (MPCA) Richard Clark (MPCA) Adonis Neblett (MPCA) Rich Schwartz John C. Martin Susan M. Mathiascheck	Email	Attorney communication with agency personnel	Attorney Client Communication Attorney Work Product
## ## #	10/14/2019	Stephanie Handeland (MPCA)	Jeff Udd (MPCA) Richard Clark (MPCA) Susan M. Mathiascheck John C. Martin Rich Schwartz Brita Larsen	Email	Attorney communication with agency personnel	Attorney Client Communication Attorney Work Product
## ## #	10/14/2019	Stephanie Handeland (MPCA)	Jeff Udd (MPCA) Richard Clark (MPCA) Susan M. Mathiascheck John C. Martin Rich Schwartz Brita Larsen	Email	Attorney communication with agency personnel	Attorney Client Communication Attorney Work Product
## ## #	10/14/2019			Email Attachment - Excel Do	Attorney communication with agency personnel	Attorney Client Communication Attorney Work Product
## ## #	10/14/2019	Brita Larsen	Stephanie Handeland (MPCA) Jeff Udd (MPCA) Richard Clark (MPCA) Susan M. Mathiascheck John C. Martin Rich Schwartz	Email	Attorney communication with agency personnel	Attorney Client Communication Attorney Work Product

## ## #	10/14/2019	Stephanie Handeland (MPCA)	Brita Larsen Jeff Udd (MPCA) Richard Clark (MPCA) Susan M. Mathiascheck John C. Martin Rich Schwartz Adonis Neblett (MPCA)	Email	Attorney communication with agency personnel	Attorney Client Communication Attorney Work Product
## ## #	10/14/2019			Email Attachment - Word Doc	Attorney communication with agency personnel	Attorney Client Communication Attorney Work Product
## ## #	10/14/2019			Email Attachment - Word Doc	Attorney communication with agency personnel	Attorney Client Communication Attorney Work Product
## ## #	10/14/2019	Rich Schwartz	Bryson C. Smith Susan M. Mathiascheck John C. Martin	Email	Attorney Work Product regarding permit appeal	Attorney Client Communication Attorney Work Product
## ## #	10/14/2019	Bryson C. Smith	Susan M. Mathiascheck John C. Martin Rich Schwartz	Email	Attorney Work Product regarding permit appeal	Attorney Client Communication Attorney Work Product
## ## #	10/14/2019			Email Attachment - PDF	Communication between MPCA personnel	Attorney Client Communication Attorney Work Product
## ## #	10/14/2019			Email Attachment - PDF	Attorney communication with agency personnel	Attorney Client Communication Attorney Work Product
## ## #	10/14/2019			Email Attachment - PDF	Communication between MPCA personnel	Attorney Client Communication Attorney Work Product
## ## #	10/14/2019	Bryson C. Smith	Richard Clark (MPCA) John C. Martin Rich Schwartz Susan M. Mathiascheck	Email	Attorney Work Product regarding permit appeal	Attorney Client Communication Attorney Work Product
## ## #	10/14/2019			Email Attachment - PDF	Attorney Work Product regarding permit appeal	Attorney Client Communication Attorney Work Product
## ## #	10/14/2019			Email Attachment - PDF	Attorney Work Product regarding permit appeal	Attorney Client Communication Attorney Work Product

## ## #	10/14/2019			Email Attachment - PDF	Attorney Work Product regarding permit appeal	Attorney Client Communication Attorney Work Product
## ## #	10/14/2019	Richard Clark (MPCA)	Bryson C. Smith Rich Schwartz Susan M. Mathiascheck John C. Martin	Email	Attorney communication with agency personnel	Attorney Client Communication Attorney Work Product
## ## #	10/14/2019			Email Attachment - PDF	Attorney communication with agency personnel	Attorney Client Communication Attorney Work Product
## ## #	10/14/2019			Email Attachment - PDF	Attorney communication with agency personnel	Attorney Client Communication Attorney Work Product
## ## #	10/14/2019			Email Attachment - PDF	Attorney communication with agency personnel	Attorney Client Communication Attorney Work Product
## ## #	10/14/2019	Bryson C. Smith	Richard Clark (MPCA) Rich Schwartz Susan M. Mathiascheck John C. Martin	Email	Attorney Work Product regarding permit appeal	Attorney Client Communication Attorney Work Product
## ## #	10/11/2019	Brita Larsen	Bryson C. Smith Susan M. Mathiascheck Rich Schwartz John C. Martin	Email	Attorney Work Product regarding permit appeal	Attorney Client Communication Attorney Work Product
## ## #	10/11/2019	Brita Larsen	Stephanie Handeland (MPCA) Jeff Udd (MPCA) Richard Clark (MPCA) Adonis Neblett (MPCA) Rich Schwartz John C. Martin Susan M. Mathiascheck	Email	Attorney communication with agency personnel	Attorney Client Communication Attorney Work Product

## ## #	10/11/2019	Stephanie Handeland (MPCA)	Brita Larsen Jeff Udd (MPCA) Richard Clark (MPCA) Adonis Neblett (MPCA) Rich Schwartz John C. Martin Susan M. Mathiascheck	Email	Attorney communication with agency personnel	Attorney Client Communication Attorney Work Product
## ## #	10/11/2019	Brita Larsen	Stephanie Handeland (MPCA) Jeff Udd (MPCA) Richard Clark (MPCA) Adonis Neblett (MPCA) Rich Schwartz John C. Martin Susan M. Mathiascheck	Email	Attorney communication with agency personnel	Attorney Client Communication Attorney Work Product
## ## #	10/11/2019	Susan M. Mathiascheck	Stephanie Handeland (MPCA) Brita Larsen Jeff Udd (MPCA) Richard Clark (MPCA) Adonis Neblett (MPCA) Rich Schwartz John C. Martin Bryson C. Smith	Email	Attorney communication with agency personnel	Attorney Client Communication Attorney Work Product
## ## #	10/11/2019	Brita Larsen	Stephanie Handeland (MPCA) Jeff Udd (MPCA) Richard Clark (MPCA) Adonis Neblett (MPCA) Rich Schwartz John C. Martin Susan M. Mathiascheck	Email	Attorney communication with agency personnel	Attorney Client Communication Attorney Work Product

## ## #	10/11/2019	Brita Larsen	Stephanie Handeland (MPCA) Jeff Udd (MPCA) Richard Clark (MPCA) Adonis Neblett (MPCA) Rich Schwartz John C. Martin Susan M. Mathiascheck	Email	Attorney communication with agency personnel	Attorney Client Communication Attorney Work Product
## ## #	10/11/2019	Stephanie Handeland (MPCA)	Brita Larsen Jeff Udd (MPCA) Richard Clark (MPCA) Adonis Neblett (MPCA) Rich Schwartz John C. Martin Susan M. Mathiascheck	Email	Attorney communication with agency personnel	Attorney Client Communication Attorney Work Product
## ## #	10/11/2019	Stephanie Handeland (MPCA)	Brita Larsen Jeff Udd (MPCA) Richard Clark (MPCA) Adonis Neblett (MPCA) Rich Schwartz John C. Martin Susan M. Mathiascheck	Email	Attorney communication with agency personnel	Attorney Client Communication Attorney Work Product
## ## #	10/11/2019	Brita Larsen	Stephanie Handeland (MPCA) Jeff Udd (MPCA) Richard Clark (MPCA) Adonis Neblett (MPCA) Rich Schwartz John C. Martin Susan M. Mathiascheck	Email	Attorney communication with agency personnel	Attorney Client Communication Attorney Work Product
## ## #	10/11/2019	Susan M. Mathiascheck	Bryson C. Smith Brita Larsen John C. Martin Rich Schwartz Timothy M. Bagshaw	Email	Attorney communication with outside counsel	Attorney Client Communication Attorney Work Product
## ## #	10/11/2019	Adonis Neblett (MPCA)	Susan M. Mathiascheck John C. Martin	Email	Attorney communication with agency personnel	Attorney Client Communication Attorney Work Product

## ## #	10/11/2019	Adonis Neblett (MPCA)	Katrina Kessler (MPCA) Laura Bishop (MPCA) Peter Tester (MPCA) Darin Brotton (MPCA) Susan M. Mathiascheck John C. Martin	Email	Attorney communication with agency personnel	Attorney Client Communication Attorney Work Product
## ## #	10/11/2019	Brita Larsen	Stephanie Handeland (MPCA) Jeff Udd (MPCA) Richard Clark (MPCA) Adonis Neblett (MPCA) Rich Schwartz John C. Martin Susan M. Mathiascheck	Email	Attorney communication with agency personnel	Attorney Client Communication Attorney Work Product
## ## #	10/11/2019	Peter Tester (MPCA)	Adonis Neblett (MPCA) Katrina Kessler (MPCA) Laura Bishop (MPCA) Darin Brotton (MPCA) Susan M. Mathiascheck John C. Martin	Email	Attorney communication with agency personnel	Attorney Client Communication Attorney Work Product
## ## #	10/11/2019	Susan M. Mathiascheck	Peter Tester (MPCA) Adonis Neblett (MPCA) Katrina Kessler (MPCA) Laura Bishop (MPCA) Darin Brotton (MPCA) John C. Martin	Email	Attorney communication with agency personnel	Attorney Client Communication Attorney Work Product
## ## #	10/11/2019	Susan M. Mathiascheck	Richard Clark (MPCA) Adonis Neblett (MPCA) Rich Schwartz Bryson C. Smith John C. Martin	Email	Attorney communication with agency personnel	Attorney Client Communication Attorney Work Product
## ## #	10/11/2019	Susan M. Mathiascheck	Jeff Udd (MPCA) Bryson C. Smith Brita Larsen John C. Martin Rich Schwartz	Email	Attorney communication with agency personnel	Attorney Client Communication Attorney Work Product
## ## #	10/11/2019	Susan M. Mathiascheck	John C. Martin Bryson C. Smith	Email	Attorney communication with agency personnel	Attorney Client Communication Attorney Work Product

## ## #	10/11/2019			Email Attachment - Word Doc	Attorney communication with agency personnel	Attorney Client Communication Attorney Work Product
## ## #	10/11/2019			Email Attachment - Word Doc	Attorney communication with agency personnel	Attorney Client Communication Attorney Work Product
## ## #	10/11/2019	Susan M. Mathiascheck	John C. Martin	Email	Attorney communication with MPCA general counsel	Attorney Client Communication Attorney Work Product
## ## #	10/11/2019	Susan M. Mathiascheck	John C. Martin Bryson C. Smith Rich Schwartz	Email	Attorney communication with agency personnel	Attorney Client Communication Attorney Work Product
## ## #	10/11/2019	Bryson C. Smith	Brita Larsen Susan M. Mathiascheck Rich Schwartz John C. Martin	Email	Attorney Work Product regarding permit appeal	Attorney Client Communication Attorney Work Product
## ## #	10/11/2019			Email Attachment - PDF	Attorney Work Product regarding permit appeal	Attorney Client Communication Attorney Work Product
## ## #	10/11/2019			Email Attachment - PDF	Attorney Work Product regarding permit appeal	Attorney Client Communication Attorney Work Product
## ## #	10/11/2019			Email Attachment - PDF	Attorney Work Product regarding permit appeal	Attorney Client Communication Attorney Work Product
## ## #	10/11/2019			Email Attachment - PDF	Attorney Work Product regarding permit appeal	Attorney Client Communication Attorney Work Product
## ## #	10/11/2019			Email Attachment - PDF	Attorney Work Product regarding permit appeal	Attorney Client Communication Attorney Work Product
## ## #	10/11/2019			Email Attachment - Word Doc	Attorney Work Product regarding permit appeal	Attorney Client Communication Attorney Work Product
## ## #	10/11/2019			Email Attachment - Word Doc	Attorney Work Product regarding permit appeal	Attorney Client Communication Attorney Work Product
## ## #	10/11/2019			Email Attachment - Word Doc	Attorney Work Product regarding permit appeal	Attorney Client Communication Attorney Work Product

## ## #	1/17/2019	Adonis Neblett (MPCA)	Michael R. Schmidt (MPCA) Shannon Lotthammer (MPCA) Jeff Udd (MPCA)	Email	Attorney communication with outside counsel	Attorney Client Communication Attorney Work Product
## ## #	1/17/2019			Email Attachment - PDF	Attorney communication with outside counsel	Attorney Client Communication Attorney Work Product
## ## #	1/23/2019	Jeff Udd (MPCA)	Shannon Lotthammer (MPCA)	Email	Forwarding attorney communication and Attorney Work Product	Attorney Client Communication Attorney Work Product
## ## #	1/22/2019	Shannon Lotthammer (MPCA)	Dave Verhasselt (MPCA) Laura Bishop (MPCA) Greta Gauthier (MPCA) Adonis Neblett (MPCA) Michael R. Schmidt (MPCA)	Email	Attorney communication with agency personnel	Attorney Client Communication Attorney Work Product
## ## #	1/21/2019	Michael R. Schmidt (MPCA)	Shannon Lotthammer (MPCA) Jeff Udd (MPCA) Adonis Neblett (MPCA) Leslie Fredrickson (MPCA)	Email	Attorney communication with agency personnel	Attorney Client Communication Attorney Work Product
## ## #	12/11/2018	Jeff Udd (MPCA)	Shannon Lotthammer (MPCA)	Email	Forwarding attorney communication from Michael Schmidt and Michael Schmidt Work Product	Attorney Client Communication Attorney Work Product
## ## #	12/11/2018	Michael R. Schmidt (MPCA)		Email Attachment - Word Doc	Attorney Attorney Work Product regarding permit appeal	Attorney Client Communication Attorney Work Product
## ## #	1/10/2019	Jeff Udd (MPCA)	Shannon Lotthammer (MPCA)	Email	Forwarding attorney communication and Attorney Work Product	Attorney Client Communication Attorney Work Product
## ## #	6/6/2018	Jeff Udd (MPCA)	Shannon Lotthammer (MPCA) Michael R. Schmidt (MPCA)	Email	Attorney communication with agency personnel	Attorney Client Communication Attorney Work Product
## ## #	6/6/2018	Jeff Udd (MPCA)		Email Attachment - Word Doc	Work product created at request of counsel and to receive legal advice	Attorney Client Communication Attorney Work Product
## ## #	2/4/2019	Dave Verhasselt (MPCA)	Shannon Lotthammer (MPCA) Laura Bishop (MPCA) Adonis Neblett (MPCA)	Email	Communication from agency personnel to attorney	Attorney Client Communication

## ## #	2/4/2019	Shannon Lotthammer (MPCA)	Dave Verhasselt (MPCA) Laura Bishop (MPCA) Adonis Neblett (MPCA)	Email	Communication from agency personnel to attorney	Attorney Client Communication
## ## #	2/4/2019	Administrative Group	Dave Verhasselt (MPCA) Laura Bishop (MPCA) Adonis Neblett (MPCA)	Email	Communication from agency personnel to attorney	Attorney Client Communication
## ## #	2/1/2019	Michael R. Schmidt (MPCA)	Adonis Neblett (MPCA) Shannon Lotthammer (MPCA) Jeff Udd (MPCA) Dave Verhasselt (MPCA)	Email	Attorney communication with agency personnel	Attorney Client Communication Attorney Work Product
## ## #	1/17/2019	Adonis Neblett (MPCA)	Michael R. Schmidt (MPCA) Shannon Lotthammer (MPCA) Jeff Udd (MPCA)	Email	Attorney communication with agency personnel	Attorney Client Communication Attorney Work Product
## ## #	1/17/2019			Email Attachment - PDF	Attorney communication with agency personnel	Attorney Client Communication Attorney Work Product
## ## #	1/16/2019	Michael R. Schmidt (MPCA)	Shannon Lotthammer (MPCA) Jeff Udd (MPCA) Adonis Neblett (MPCA)	Email	Attorney communication with agency personnel	Attorney Client Communication Attorney Work Product
## ##	1/16/2019			Email Attachment - PDF	Attorney communication with outside counsel	Attorney Client Communication
## ## #	1/16/2019	Adonis Neblett (MPCA)	Michelle Beeman (MPCA) Shannon Lotthammer (MPCA) Michael R. Schmidt (MPCA)	Email	Attorney communication with agency personnel	Attorney Client Communication Attorney Work Product
## ## #	1/16/2019			Email Attachment - PDF	Attorney communication with agency personnel	Attorney Client Communication Attorney Work Product
## ## #	1/15/2019	Michael R. Schmidt (MPCA)	Shannon Lotthammer (MPCA) Jeff Udd (MPCA)	Email	Attorney communication with agency personnel	Attorney Client Communication Attorney Work Product
## ##	1/15/2019			Email Attachment - PDF	Attorney communication with agency personnel	Attorney Client Communication
##	DOCUMENT REMOVED FROM PRIVILEGE LOG - PRODUCED 12/10/2019 MPCA(62-cv-19-4626)_020550					

## ## #	2/1/2019	Dave Verhasselt (MPCA)	Greta Gauthier (MPCA) Michael R. Schmidt (MPCA) Shannon Lotthammer (MPCA) Laura Bishop (MPCA) Jeff Udd (MPCA)	Email	Attorney communication with agency personnel	Attorney Client Communication Attorney Work Product
## ## #	2/1/2019	Dave Verhasselt (MPCA)	Jeff Udd (MPCA) Michael R. Schmidt (MPCA) Shannon Lotthammer (MPCA) Laura Bishop (MPCA) Greta Gauthier (MPCA)	Email	Attorney communication with agency personnel	Attorney Client Communication Attorney Work Product
## ## #	2/1/2019	Jeff Udd (MPCA)	Dave Verhasselt (MPCA) Michael R. Schmidt (MPCA) Shannon Lotthammer (MPCA) Laura Bishop (MPCA) Greta Gauthier (MPCA)	Email	Attorney communication with agency personnel	Attorney Client Communication Attorney Work Product
## ## #	2/1/2019	Dave Verhasselt (MPCA)	Michael R. Schmidt (MPCA) Shannon Lotthammer (MPCA) Laura Bishop (MPCA) Greta Gauthier (MPCA) Jeff Udd (MPCA)	Email	Attorney communication with agency personnel	Attorney Client Communication Attorney Work Product
## ## #	2/1/2019			Email Attachment - Word Doc	Attorney Attorney Work Product regarding permit appeal	Attorney Client Communication Attorney Work Product
## ## #	2/1/2019	Greta Gauthier (MPCA)	Michael R. Schmidt (MPCA) Shannon Lotthammer (MPCA) Dave Verhasselt (MPCA) Laura Bishop (MPCA) Jeff Udd (MPCA)	Email	Attorney communication with agency personnel	Attorney Client Communication Attorney Work Product
## ## #	2/1/2019	Michael R. Schmidt (MPCA)	Shannon Lotthammer (MPCA) Dave Verhasselt (MPCA) Laura Bishop (MPCA) Greta Gauthier (MPCA) Jeff Udd (MPCA)	Email	Attorney communication with agency personnel	Attorney Client Communication Attorney Work Product

## ## #	2/1/2019	Shannon Lotthammer (MPCA)	Dave Verhasselt (MPCA) Laura Bishop (MPCA) Greta Gauthier (MPCA) Michael R. Schmidt (MPCA) Jeff Udd (MPCA)	Email	Attorney communication with agency personnel	Attorney Client Communication Attorney Work Product
## ## #	2/1/2019	Shannon Lotthammer (MPCA)	Dave Verhasselt (MPCA) Laura Bishop (MPCA) Greta Gauthier (MPCA) Michael R. Schmidt (MPCA) Jeff Udd (MPCA)	Email	Attorney communication with agency personnel	Attorney Client Communication Attorney Work Product
## ## #	2/1/2019	Dave Verhasselt (MPCA)	Shannon Lotthammer (MPCA) Laura Bishop (MPCA) Greta Gauthier (MPCA) Michael R. Schmidt (MPCA) Jeff Udd (MPCA)	Email	Attorney communication with agency personnel	Attorney Client Communication Attorney Work Product
## ## #	2/1/2019	Greta Gauthier (MPCA)	Dave Verhasselt (MPCA) Laura Bishop (MPCA) Shannon Lotthammer (MPCA) Michael R. Schmidt (MPCA) Jeff Udd (MPCA)	Email	Attorney communication with agency personnel	Attorney Client Communication Attorney Work Product
## ## #	2/1/2019	Shannon Lotthammer (MPCA)	Dave Verhasselt (MPCA) Laura Bishop (MPCA) Greta Gauthier (MPCA) Michael R. Schmidt (MPCA) Jeff Udd (MPCA)	Email	Communication from agency personnel to attorney	Attorney Client Communication
## ## #	2/1/2019	Shannon Lotthammer (MPCA)	Dave Verhasselt (MPCA) Laura Bishop (MPCA) Greta Gauthier (MPCA) Michael R. Schmidt (MPCA) Jeff Udd (MPCA)	Email	Communication from agency personnel to attorney	Attorney Client Communication

## ## #	2/1/2019	Dave Verhasselt (MPCA)	Laura Bishop (MPCA) Shannon Lotthammer (MPCA) Greta Gauthier (MPCA) Michael R. Schmidt (MPCA) Jeff Udd (MPCA)	Email	Attorney communication with agency personnel	Attorney Client Communication Attorney Work Product
## ## #	2/1/2019			Email Attachment - Word Doc	Attorney communication with agency personnel	Attorney Client Communication Attorney Work Product
## ## #	1/23/2019	Jeff Udd (MPCA)	Shannon Lotthammer (MPCA) Michael R. Schmidt (MPCA)	Email	Attorney communication with agency personnel	Attorney Client Communication Attorney Work Product
## ## #	1/23/2019			Email Attachment - Word Doc	Attorney communication with agency personnel	Attorney Client Communication Attorney Work Product
## ## #	1/23/2019	Jeff Udd (MPCA)	Shannon Lotthammer (MPCA)	Email	Forwarding attorney communication and Attorney Work Product	Attorney Client Communication Attorney Work Product
## ## #	1/22/2019	Adonis Neblett (MPCA)	Michael R. Schmidt (MPCA) Dave Verhasselt (MPCA) Shannon Lotthammer (MPCA) Jeff Udd (MPCA) Leslie Fredrickson (MPCA)	Email	Attorney communication with agency personnel	Attorney Client Communication Attorney Work Product
## ## #	1/22/2019	Adonis Neblett (MPCA)	Dave Verhasselt (MPCA) Michael R. Schmidt (MPCA) Shannon Lotthammer (MPCA) Jeff Udd (MPCA)	Email	Attorney communication with agency personnel	Attorney Client Communication Attorney Work Product
## ## #	1/28/2019	Shannon Lotthammer (MPCA)	Laura Bishop (MPCA) Adonis Neblett (MPCA) Michelle Beeman (MPCA)	Email	Communication from agency personnel to attorney	Attorney Client Communication
##	DOCUMENT REMOVED FROM PRIVILEGE LOG - PRODUCED 12/10/2019 - MPCA(62-CV-19-4626)_020597					
##	DOCUMENT REMOVED FROM PRIVILEGE LOG - PRODUCED 12/10/2019 - MPCA(62-CV-19-4626)_020598					
##	DOCUMENT REMOVED FROM PRIVILEGE LOG - PRODUCED 12/10/2019 - MPCA(62-CV-19-4626)_020601					
##	DOCUMENT REMOVED FROM PRIVILEGE LOG - PRODUCED 12/10/2019 - MPCA(62-CV-19-4626)_020602					
## ## #	1/25/2019	Shannon Lotthammer (MPCA)	Michael R. Schmidt (MPCA) Jeff Udd (MPCA)	Email	Communication from agency personnel to attorney	Attorney Client Communication

## ## #	1/21/2019	Michael R. Schmidt (MPCA)	Shannon Lotthammer (MPCA) Jeff Udd (MPCA) Adonis Neblett (MPCA) Leslie Fredrickson (MPCA)	Email	Attorney communication with agency personnel	Attorney Client Communication Attorney Work Product
## ## #	1/22/2019	Shannon Lotthammer (MPCA)	Dave Verhasselt (MPCA) Laura Bishop (MPCA) Greta Gauthier (MPCA) Adonis Neblett (MPCA) Michael R. Schmidt (MPCA)	Email	Attorney communication with agency personnel	Attorney Client Communication Attorney Work Product
## ## #	1/10/2019	Shannon Lotthammer (MPCA)	Adonis Neblett (MPCA)	Email	Attorney communication with agency personnel	Attorney Client Communication Attorney Work Product
##	DOCUMENT REMOVED FROM PRIVILEGE LOG - PRODUCED 12/10/2019 - MPCA(62-CV-19-4626)_020553					
## ## #	12/11/2018	Jeff Udd (MPCA)	Shannon Lotthammer (MPCA)	Email	Forwarding attorney communication and Attorney Work Product	Attorney Client Communication Attorney Work Product
## ## #	12/11/2018	Michael R. Schmidt (MPCA)		Email Attachment - PDF	Forwarding attorney communication and Attorney Work Product	Attorney Client Communication Attorney Work Product
##	DOCUMENT REMOVED FROM PRIVILEGE LOG - PRODUCED 12/10/2019 - MPCA(62-CV-19-4626)_020572					
##	DOCUMENT REMOVED FROM PRIVILEGE LOG - PRODUCED 12/10/2019 - MPCA(62-CV-19-4626)_020573					
## ## #	5/31/2018	Michael R. Schmidt (MPCA)	Shannon Lotthammer (MPCA)	Email Attachment - PDF	Attorney communication with agency personnel	Attorney Client Communication Attorney Work Product
##	DOCUMENT REMOVED FROM PRIVILEGE LOG - PRODUCED 12/10/2019 - MPCA(62-CV-19-4626)_020575					
## ## #	11/9/2018	Melissa Kuskie (MPCA)	Michelle Beeman (MPCA) Bill Sierks (MPCA) Shannon Lotthammer (MPCA) Adonis Neblett (MPCA) CoriAhna Rude-Young (MPCA) Jeff J Smith(MPCA) Jeff Stollenwerk (MPCA)]	Email	Communication from agency personnel to attorney	Attorney Client Communication Attorney Work Product

## ## #	8/16/2018	Jeff J Smith(MPCA)	Adonis Neblett (MPCA) Melissa Kuskie (MPCA) Michelle Beeman (MPCA) Jeff Stollenwerk (MPCA) Bill Sierks (MPCA) Shannon Lotthammer (MPCA) John Stine (MPCA)	Email Attachment - PDF	Communication from agency personnel to attorney	Attorney Client Communication
## ## #	8/16/2018	Michelle Beeman (MPCA)	Jeff J Smith(MPCA) Jeff Stollenwerk (MPCA) Melissa Kuskie (MPCA) Bill Sierks (MPCA) Shannon Lotthammer (MPCA) Adonis Neblett (MPCA) John Stine (MPCA)	Email Attachment - Work Doc	Attorney communication with agency personnel	Attorney Client Communication Attorney Work Product
## ## #	8/16/2018	Adonis Neblett (MPCA)		Email Attachment - PDF	Attorney communication with agency personnel and work product	Attorney Client Communication Attorney Work Product
## ## #	8/16/2018	Adonis Neblett (MPCA)		Email Attachment - PDF	Attorney communication with agency personnel and work product	Attorney Client Communication Attorney Work Product
## ## #	1/22/2019	Dave Verhasselt (MPCA)	Adonis Neblett (MPCA) Michael R. Schmidt (MPCA) Shannon Lotthammer (MPCA) Jeff Udd (MPCA)	Email Attachment - PDF	Communication from agency personnel to attorney	Attorney Client Communication
## ## #	2/1/2019	Dave Verhasselt (MPCA)	Laura Bishop (MPCA) Shannon Lotthammer (MPCA) Greta Gauthier (MPCA) Michael R. Schmidt (MPCA) Jeff Udd (MPCA)	Email	Communication from agency personnel to attorney	Attorney Client Communication
## ##	2/1/2019			Email Attachemnt - PDF	Communication from agency personnel to attorney	Attorney Client Communication
## ## #	2/1/2019	Dave Verhasselt (MPCA)	Shannon Lotthammer (MPCA) Greta Gauthier (MPCA) Laura Bishop (MPCA) Michael R. Schmidt (MPCA) Jeff Udd (MPCA)	Email	Communication from agency personnel to attorney	Attorney Client Communication

## ## #	2/1/2019	Laura Bishop (MPCA)	Shannon Lotthammer (MPCA) Dave Verhasselt (MPCA) Greta Gauthier (MPCA) Michael R. Schmidt (MPCA) Jeff Udd (MPCA)	Email	Communication from agency personnel to attorney	Attorney Client Communication
## ## #	2/1/2019	Dave Verhasselt (MPCA)	Shannon Lotthammer (MPCA)	Email	Forwarding attorney communication and Attorney Work Product	Attorney Client Communication
## ## #	2/1/2019	Shannon Lotthammer (MPCA)	Dave Verhasselt (MPCA) Laura Bishop (MPCA)	Email	Forwarding attorney communication and Attorney Work Product	Attorney Client Communication
## ## #	2/1/2019	Shannon Lotthammer (MPCA)	Dave Verhasselt (MPCA) Laura Bishop (MPCA)	Email	Communication from agency personnel to attorney	Attorney Client Communication
## ## #	2/1/2019	Dave Verhasselt (MPCA)	Laura Bishop (MPCA) Shannon Lotthammer (MPCA) Greta Gauthier (MPCA) Michael R. Schmidt (MPCA) Jeff Udd (MPCA)	Email	Communication from agency personnel to attorney	Attorney Client Communication
## ## #	2/1/2019	Dave Verhasselt (MPCA)	Shannon Lotthammer (MPCA)	Email	Forwarding attorney communication and Attorney Work Product	Attorney Client Communication
## ## #	2/1/2019	Greta Gauthier (MPCA)	Laura Bishop (MPCA) Shannon Lotthammer (MPCA) Dave Verhasselt (MPCA) Michael R. Schmidt (MPCA) Jeff Udd (MPCA)	Email	Communication from agency personnel to attorney	Attorney Client Communication
## ## #	2/1/2019	Laura Bishop (MPCA)	Shannon Lotthammer (MPCA) Dave Verhasselt (MPCA) Greta Gauthier (MPCA) Michael R. Schmidt (MPCA) Jeff Udd (MPCA)	Email Attachment - Work Doc	Communication from agency personnel to attorney	Attorney Client Communication

## ## #	2/1/2019	Shannon Lotthammer (MPCA)	Dave Verhasselt (MPCA) Laura Bishop (MPCA) Greta Gauthier (MPCA) Michael R. Schmidt (MPCA) Jeff Udd (MPCA)	Email	Communication from agency personnel to attorney	Attorney Client Communication Attorney Work Product
## ## #	2/1/2019			Email Attachment - Word Doc	Communication from agency personnel to attorney	Attorney Client Communication Attorney Work Product
## ## #	2/1/2019	Dave Verhasselt (MPCA)	Laura Bishop (MPCA) Shannon Lotthammer (MPCA) Greta Gauthier (MPCA) Michael R. Schmidt (MPCA) Jeff Udd (MPCA)	Email	Communication from agency personnel to attorney	Attorney Client Communication
## ## #	2/1/2019	Laura Bishop (MPCA)	Dave Verhasselt (MPCA) Shannon Lotthammer (MPCA) Greta Gauthier (MPCA) Michael R. Schmidt (MPCA) Jeff Udd (MPCA)	Email	Communication from agency personnel to attorney	Attorney Client Communication
## ## #	2/1/2019	Laura Bishop (MPCA)	Dave Verhasselt (MPCA) Shannon Lotthammer (MPCA) Greta Gauthier (MPCA) Michael R. Schmidt (MPCA) Jeff Udd (MPCA)	Email	Communication from agency personnel to attorney	Attorney Client Communication
## ## #	2/1/2019	Shannon Lotthammer (MPCA)	Dave Verhasselt (MPCA) Greta Gauthier (MPCA) Laura Bishop (MPCA) Michael R. Schmidt (MPCA) Jeff Udd (MPCA)	Email	Communication from agency personnel to attorney	Attorney Client Communication
## ## #	2/1/2019	Shannon Lotthammer (MPCA)	Dave Verhasselt (MPCA) Greta Gauthier (MPCA) Laura Bishop (MPCA) Michael R. Schmidt (MPCA) Jeff Udd (MPCA)	Email	Communication from agency personnel to attorney	Attorney Client Communication

## ## #	2/1/2019	Greta Gauthier (MPCA)	Michael R. Schmidt (MPCA) Shannon Lotthammer (MPCA)	Email	Communication from agency personnel to attorney	Attorney Client Communication
## ## #	2/1/2019	Greta Gauthier (MPCA)	Logan OGrady (GOV) Michael R. Schmidt (MPCA) Shannon Lotthammer (MPCA) Laura Bishop (MPCA) Jeff Udd (MPCA) Kristin L Beckmann (GOV)	Email	Communication from agency personnel to attorney	Attorney Client Communication
## ## #	2/1/2019	Logan OGrady (GOV)	Greta Gauthier (MPCA) Michael R. Schmidt (MPCA) Shannon Lotthammer (MPCA) Laura Bishop (MPCA) Jeff Udd (MPCA) Kristin L Beckmann (GOV)	Email	Communication from agency personnel to attorney	Attorney Client Communication
## ## #	2/1/2019	Greta Gauthier (MPCA)	Logan OGrady (GOV) Michael R. Schmidt (MPCA) Shannon Lotthammer (MPCA) Laura Bishop (MPCA) Jeff Udd (MPCA)	Email	Communication from agency personnel to attorney	Attorney Client Communication
## ## #	2/1/2019	Laura Bishop (MPCA)	Greta Gauthier (MPCA) Logan OGrady (GOV) Michael R. Schmidt (MPCA) Shannon Lotthammer (MPCA) Jeff Udd (MPCA) Dave Verhasselt (MPCA)	Email Attachment - Work Doc	Communication from agency personnel to attorney	Attorney Client Communication
## ## #	2/1/2019	Greta Gauthier (MPCA)	Logan OGrady (GOV) Michael R. Schmidt (MPCA) Shannon Lotthammer (MPCA) Laura Bishop (MPCA) Jeff Udd (MPCA) Dave Verhasselt (MPCA)	Email	Attorney communication with agency personnel	Attorney Client Communication Attorney Work Product

## ## #	2/1/2019			Email Attachment - Word Doc	Attorney communication with agency personnel	Attorney Client Communication Attorney Work Product
## ## #	2/4/2019	Dave Verhasselt (MPCA)	Shannon Lotthammer (MPCA) Laura Bishop (MPCA) Adonis Neblett (MPCA)	Email	Communication from agency personnel to attorney	Attorney Client Communication
## ## #	2/4/2019	Shannon Lotthammer (MPCA)	Dave Verhasselt (MPCA) Laura Bishop (MPCA) Adonis Neblett (MPCA)	Email	Communication from agency personnel to attorney	Attorney Client Communication
## ## #	2/4/2019	Administrative Group	Dave Verhasselt (MPCA) Laura Bishop (MPCA) Adonis Neblett (MPCA)	Email	Communication from agency personnel to attorney	Attorney Client Communication
## ## #	2/1/2019	Dave Verhasselt (MPCA)	Shannon Lotthammer (MPCA)	Email	Forwarding attorney communication and Attorney Work Product	Attorney Client Communication
## ## #	2/1/2019	Shannon Lotthammer (MPCA)	Dave Verhasselt (MPCA) Laura Bishop (MPCA)	Email	Forwarding attorney communication and Attorney Work Product	Attorney Client Communication
## ## #	2/1/2019	Shannon Lotthammer (MPCA)	Dave Verhasselt (MPCA) Laura Bishop (MPCA)	Email	Forwarding attorney communication and Attorney Work Product	Attorney Client Communication
## ## #	2/1/2019	Dave Verhasselt (MPCA)	Shannon Lotthammer (MPCA)	Email	Forwarding attorney communication and Attorney Work Product	Attorney Client Communication
## ## #	2/1/2019	Greta Gauthier (MPCA)	Laura Bishop (MPCA) Shannon Lotthammer (MPCA) Dave Verhasselt (MPCA) Michael R. Schmidt (MPCA) Jeff Udd (MPCA)	Email	Communication from agency personnel to attorney	Attorney Client Communication
## ## #	2/1/2019	Dave Verhasselt (MPCA)	Laura Bishop (MPCA) Shannon Lotthammer (MPCA) Greta Gauthier (MPCA) Michael R. Schmidt (MPCA) Jeff Udd (MPCA)	Email Attachment - Work Doc	Communication from agency personnel to attorney	Attorney Client Communication

## ## #	2/1/2019	Dave Verhasselt (MPCA)	Laura Bishop (MPCA) Shannon Lotthammer (MPCA) Greta Gauthier (MPCA) Michael R. Schmidt (MPCA) Jeff Udd (MPCA)	Email	Communication from agency personnel to attorney	Attorney Client Communication
## ##	2/1/2019			Email Attachment - Word Doc	Communication from agency personnel to attorney	Attorney Client Communication
## ## #	2/1/2019	Dave Verhasselt (MPCA)	Shannon Lotthammer (MPCA) Greta Gauthier (MPCA) Laura Bishop (MPCA) Michael R. Schmidt (MPCA) Jeff Udd (MPCA)	Email	Communication from agency personnel to attorney	Attorney Client Communication
## ## #	2/1/2019	Shannon Lotthammer (MPCA)	Dave Verhasselt (MPCA) Greta Gauthier (MPCA) Laura Bishop (MPCA) Michael R. Schmidt (MPCA) Jeff Udd (MPCA)	Email	Communication from agency personnel to attorney	Attorney Client Communication
## ## #	2/1/2019	Shannon Lotthammer (MPCA)	Dave Verhasselt (MPCA) Greta Gauthier (MPCA) Laura Bishop (MPCA) Michael R. Schmidt (MPCA) Jeff Udd (MPCA)	Email	Communication from agency personnel to attorney	Attorney Client Communication
## ## #	2/1/2019	Greta Gauthier (MPCA)	Michael R. Schmidt (MPCA) Shannon Lotthammer (MPCA)	Email	Communication from agency personnel to attorney	Attorney Client Communication
## ## #	2/1/2019	Greta Gauthier (MPCA)	Logan OGrady (GOV) Michael R. Schmidt (MPCA) Shannon Lotthammer (MPCA) Laura Bishop (MPCA) Jeff Udd (MPCA) Kristin L Beckmann (GOV)	Email	Communication from agency personnel to attorney	Attorney Client Communication

## ## #	2/1/2019	Logan OGrady (GOV)	Greta Gauthier (MPCA) Michael R. Schmidt (MPCA) Shannon Lotthammer (MPCA) Laura Bishop (MPCA) Jeff Udd (MPCA) Kristin L Beckmann (GOV)	Email	Communication from agency personnel to attorney	Attorney Client Communication
## ## #	2/1/2019	Dave Verhasselt (MPCA)	Jeff Udd (MPCA) Michael R. Schmidt (MPCA) Shannon Lotthammer (MPCA) Laura Bishop (MPCA) Greta Gauthier (MPCA)	Email	Communication from agency personnel to attorney	Attorney Client Communication
## ## #	2/1/2019	Jeff Udd (MPCA)	Dave Verhasselt (MPCA) Michael R. Schmidt (MPCA) Shannon Lotthammer (MPCA) Laura Bishop (MPCA) Greta Gauthier (MPCA)	Email Attachment - Word Doc	Communication from agency personnel to attorney	Attorney Client Communication
## ## #	2/1/2019	Greta Gauthier (MPCA)	Logan OGrady (GOV) Michael R. Schmidt (MPCA) Shannon Lotthammer (MPCA) Laura Bishop (MPCA) Jeff Udd (MPCA) Dave Verhasselt (MPCA)	Email	Communication from agency personnel to attorney	Attorney Client Communication
## ##	2/1/2019			Email Attachemnt - Word Doc	Communication from agency personnel to attorney	
## ## #	2/1/2019	Greta Gauthier (MPCA)	Logan OGrady (GOV) Michael R. Schmidt (MPCA) Shannon Lotthammer (MPCA) Laura Bishop (MPCA) Jeff Udd (MPCA)	Email	Communication from agency personnel to attorney	Attorney Client Communication

## ## #	2/1/2019	Dave Verhasselt (MPCA)	Greta Gauthier (MPCA) Michael R. Schmidt (MPCA) Shannon Lotthammer (MPCA) Laura Bishop (MPCA) Jeff Udd (MPCA)	Email Attachment - Work Doc	Communication from agency personnel to attorney	Attorney Client Communication
## ## #	2/1/2019	Dave Verhasselt (MPCA)	Michael R. Schmidt (MPCA) Shannon Lotthammer (MPCA) Laura Bishop (MPCA) Greta Gauthier (MPCA) Jeff Udd (MPCA)	Email	Communication from agency personnel to attorney	Attorney Client Communication
## ##	2/1/2019			Email Attachment - Word Doc	Communication from agency personnel to attorney	Attorney Client Communication
## ## #	2/1/2019	Greta Gauthier (MPCA)	Michael R. Schmidt (MPCA) Shannon Lotthammer (MPCA) Dave Verhasselt (MPCA) Laura Bishop (MPCA) Jeff Udd (MPCA)	Email	Communication from agency personnel to attorney	Attorney Client Communication
## ## #	2/1/2019	Michael R. Schmidt (MPCA)	Shannon Lotthammer (MPCA) Dave Verhasselt (MPCA) Laura Bishop (MPCA) Greta Gauthier (MPCA) Jeff Udd (MPCA)	Email	Attorney communication with agency personnel	Attorney Client Communication Attorney Work Product
## ## #	2/1/2019	Shannon Lotthammer (MPCA)	Dave Verhasselt (MPCA) Laura Bishop (MPCA) Greta Gauthier (MPCA) Michael R. Schmidt (MPCA) Jeff Udd (MPCA)	Email	Communication from agency personnel to attorney	Attorney Client Communication
## ## #	2/1/2019	Shannon Lotthammer (MPCA)	Dave Verhasselt (MPCA) Laura Bishop (MPCA) Greta Gauthier (MPCA) Michael R. Schmidt (MPCA) Jeff Udd (MPCA)	Email	Communication from agency personnel to attorney	Attorney Client Communication

## ## #	2/1/2019	Dave Verhasselt (MPCA)	Shannon Lotthammer (MPCA) Laura Bishop (MPCA) Greta Gauthier (MPCA) Michael R. Schmidt (MPCA) Jeff Udd (MPCA)	Email	Communication from agency personnel to attorney	Attorney Client Communication
## ## #	2/1/2019	Greta Gauthier (MPCA)	Dave Verhasselt (MPCA) Laura Bishop (MPCA) Shannon Lotthammer (MPCA) Michael R. Schmidt (MPCA) Jeff Udd (MPCA)	Email	Communication from agency personnel to attorney	Attorney Client Communication
## ## #	2/1/2019	Shannon Lotthammer (MPCA)	Dave Verhasselt (MPCA) Laura Bishop (MPCA) Greta Gauthier (MPCA) Michael R. Schmidt (MPCA) Jeff Udd (MPCA)	Email	Communication from agency personnel to attorney	Attorney Client Communication
## ## #	2/1/2019	Shannon Lotthammer (MPCA)	Dave Verhasselt (MPCA) Laura Bishop (MPCA) Greta Gauthier (MPCA) Michael R. Schmidt (MPCA) Jeff Udd (MPCA)	Email	Communication from agency personnel to attorney	Attorney Client Communication
## ## #	2/1/2019	Michael R. Schmidt (MPCA)	Adonis Neblett (MPCA) Shannon Lotthammer (MPCA) Jeff Udd (MPCA) Dave Verhasselt (MPCA)	Email Attachment - PDF	Attorney communication with agency personnel	Attorney Client Communication Attorney Work Product
## ## #	1/24/2019	Jeff Udd (MPCA)	Shannon Lotthammer (MPCA) Dave Verhasselt (MPCA)	Email	Forwarding attorney communication and Attorney Work Product	Attorney Client Communication
## ## #	1/22/2019	Dave Verhasselt (MPCA)	Adonis Neblett (MPCA) Michael R. Schmidt (MPCA) Shannon Lotthammer (MPCA) Jeff Udd (MPCA)	Email Attachment - PDF	Communication from agency personnel to attorney	Attorney Client Communication
## ## #	1/18/2019	Shannon Lotthammer (MPCA)	Dave Verhasselt (MPCA) Greta Gauthier (MPCA)	Email	Forwarding attorney communication and Attorney Work Product	Attorney Client Communication Attorney Work Product

## ## #	1/17/2019	Shannon Lotthammer (MPCA)	Laura Bishop (MPCA) Dave Verhasselt (MPCA) Michelle Beeman (MPCA) Greta Gauthier (MPCA) Adonis Neblett (MPCA) Michael R. Schmidt (MPCA) Jeff Udd (MPCA) Jeff J Smith(MPCA)	Email	Communication from agency personnel to attorney	Attorney Client Communication Attorney Work Product
## ## #	1/17/2019	Jeff Udd (MPCA)	Shannon Lotthammer (MPCA) Michael R. Schmidt (MPCA)	Email Attachment - PDF	Attorney communication with agency personnel	Attorney Client Communication Attorney Work Product
## ## #	1/16/2019	Michael R. Schmidt (MPCA)	Shannon Lotthammer (MPCA) Jeff Udd (MPCA) Adonis Neblett (MPCA)	Email Attachment - PDF	Attorney communication with agency personnel	Attorney Client Communication Attorney Work Product
## ##	1/16/2019			Email Attachment - PDF	Attorney communication with agency personnel	Attorney Client Communication
## ## #	1/15/2019	Michael R. Schmidt (MPCA)	Shannon Lotthammer (MPCA) Jeff Udd (MPCA)	Email	Attorney communication with agency personnel	Attorney Client Communication Attorney Work Product
## ##	1/15/2019			Email Attachment - PDF	Attorney communication with agency personnel	Attorney Client Communication
## ##	1/10/2019	Shannon Lotthammer (MPCA)	Adonis Neblett (MPCA)	Email Attachment - PDF	Communication from agency personnel to attorney	Attorney Client Communication
##	DOCUMENT REMOVED FROM PRIVILEGE LOG - PRODUCED 12/10/2019 MPCA(62-cv-19-4626)_020605					
##	DOCUMENT REMOVED FROM PRIVILEGE LOG - PRODUCED 12/10/2019 MPCA(62-cv-19-4626)_020607					
##	DOCUMENT REMOVED FROM PRIVILEGE LOG - PRODUCED 12/10/2019 MPCA(62-cv-19-4626)_020627					
##	DOCUMENT REMOVED FROM PRIVILEGE LOG - PRODUCED 12/10/2019 MPCA(62-cv-19-4626)_020646					
## ## #	11/9/2018	Melissa Kuskie (MPCA)	Michelle Beeman (MPCA) Bill Sierks (MPCA) Shannon Lotthammer (MPCA) Adonis Neblett (MPCA) CoriAhna Rude-Young (MPCA) Jeff J Smith(MPCA) Jeff Stollenwerk (MPCA)]	Email	Communication from agency personnel to attorney	Attorney Client Communication Attorney Work Product
##	DOCUMENT REMOVED FROM PRIVILEGE LOG - PRODUCED 12/10/2019 MPCA(62-cv-19-4626)_020648					

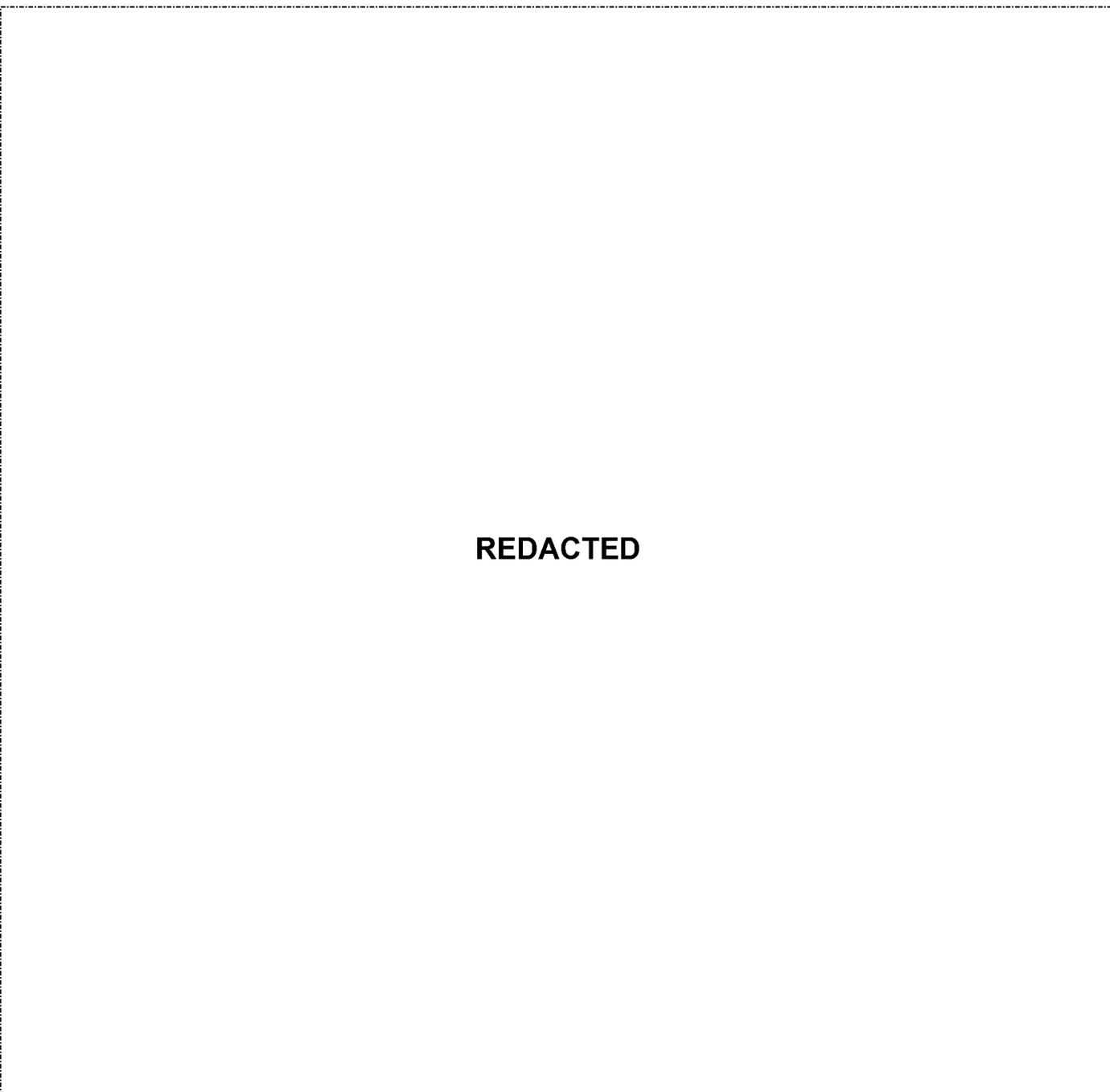
## ## #	8/16/2018	Jeff J Smith(MPCA)	Adonis Neblett (MPCA) Melissa Kuskie (MPCA) Michelle Beeman (MPCA) Jeff Stollenwerk (MPCA) Bill Sierks (MPCA) Shannon Lotthammer (MPCA) John Stine (MPCA)	Email	Communication from agency personnel to attorney	Attorney Client Communication Attorney Work Product
## ## #	5/31/2018	Michael R. Schmidt (MPCA)	Shannon Lotthammer (MPCA)	Email Attachment - Work Doc	Attorney communication with agency personnel	Attorney Client Communication Attorney Work Product
##	DOCUMENT REMOVED FROM PRIVILEGE LOG - PRODUCED 12/10/2019 MPCA(62-cv-19-4626)_020651					
##	DOCUMENT REMOVED FROM PRIVILEGE LOG - PRODUCED 12/10/2019 MPCA(62-cv-19-4626)_020652					
##	DOCUMENT REMOVED FROM PRIVILEGE LOG - PRODUCED 12/10/2019 MPCA(62-cv-19-4626)_020655					
##	DOCUMENT REMOVED FROM PRIVILEGE LOG - PRODUCED 12/10/2019 MPCA(62-cv-19-4626)_020656					

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Northmet EPA Call Notes

2016-08-11



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Redacted

2016-09-21

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Redacted

2016-10-04

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Redacted

2016-10-19

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2016-11-16

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Redacted

2017-01-04

REDACTED

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REDACTED

2017-01-11

Redacted

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2017-01-25

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2017-03-09

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REDACTED

2017-03-22

Redacted

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REDACTED

2017-04-06

Redacted

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REDACTED

2017-05-03

Redacted

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Redacted

2017-05-31

REDACTED

2017-06-16

Redacted

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Redacted

2017-08-23

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Redacted

2017-10-31

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2017-11-09

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Redacted

EPA call notes 2018-01-31

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EPA Call 2018-02-13

REDACTED

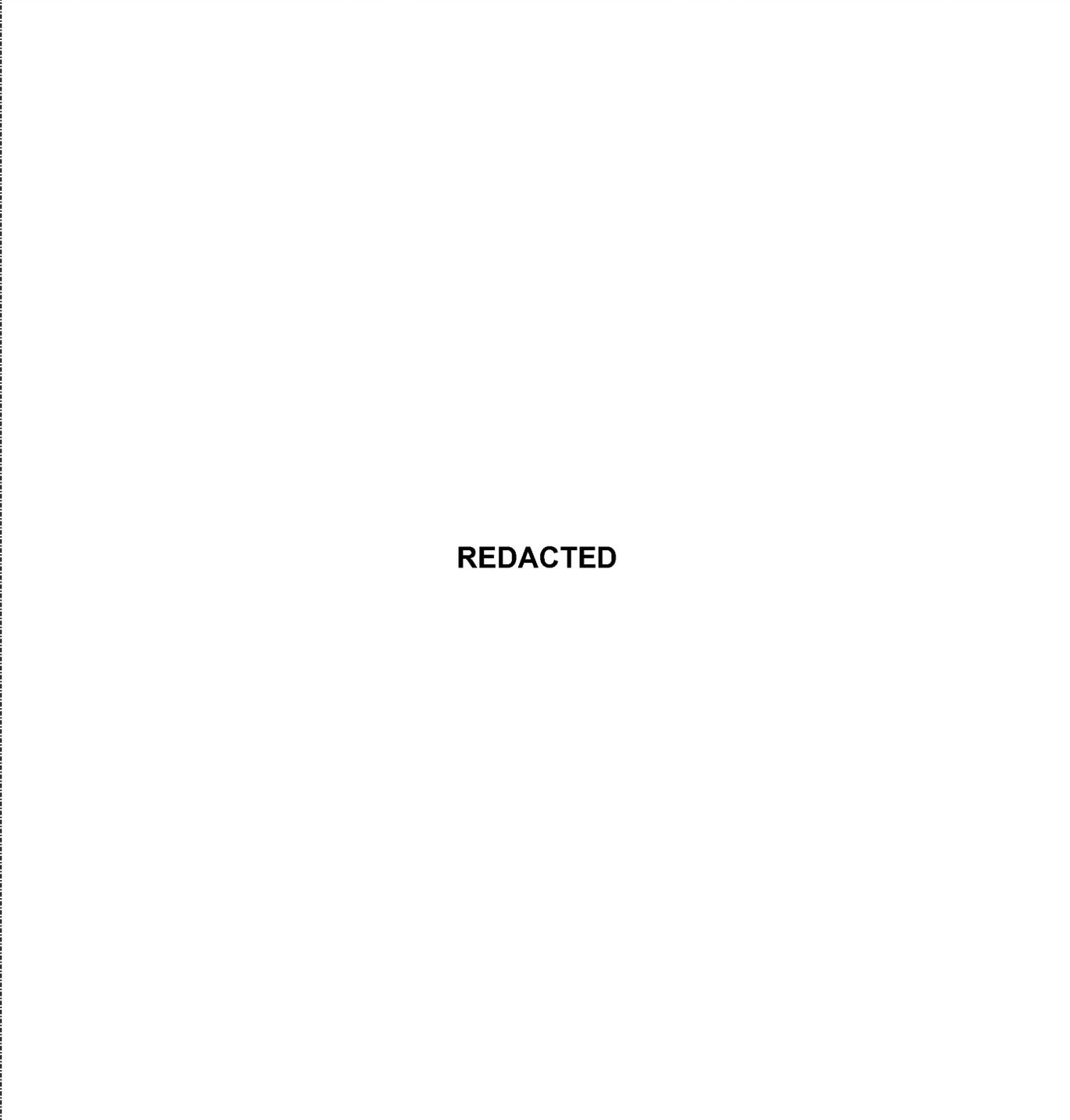
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REDACTED

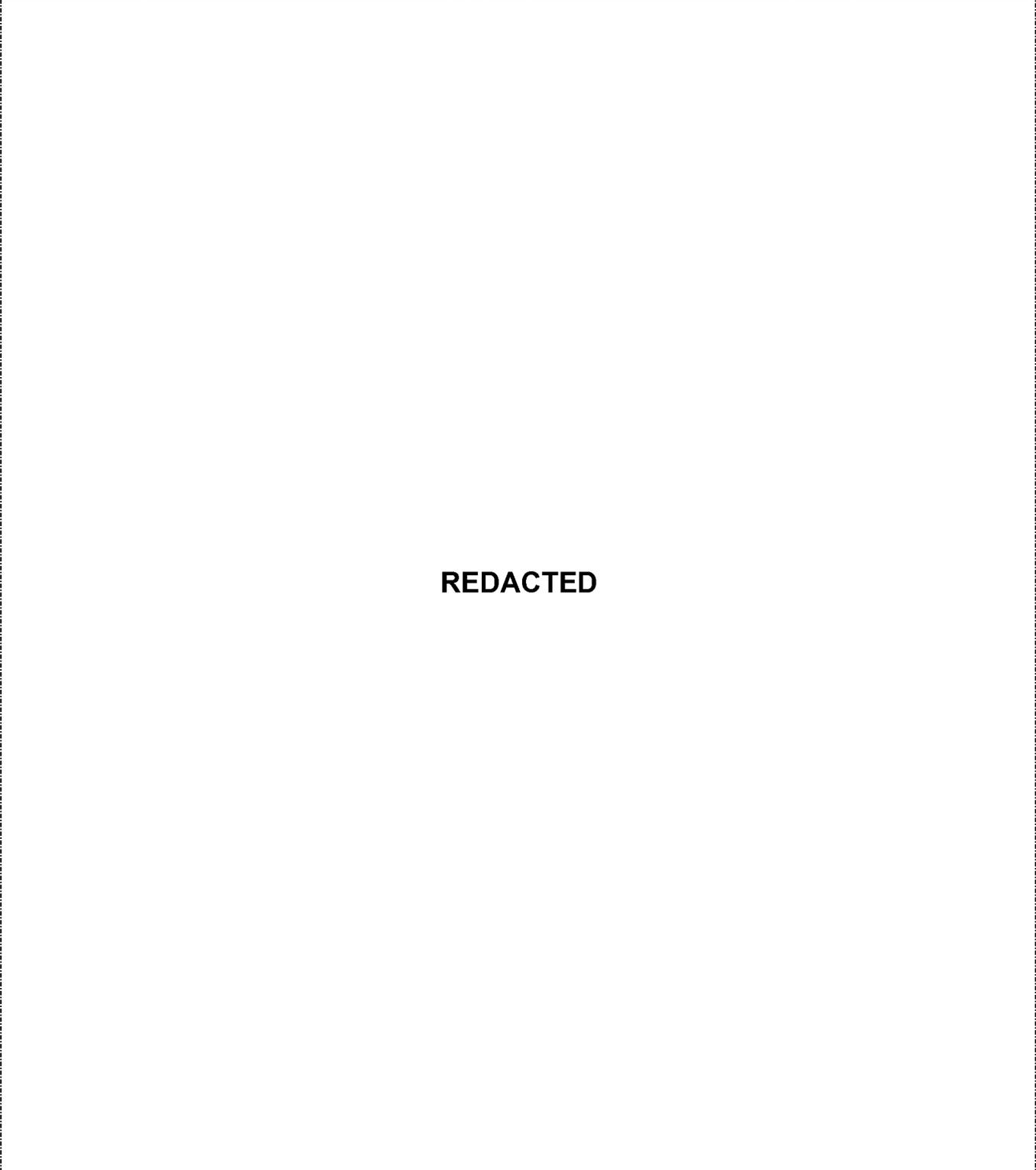
EXHIBIT 4**ATTORNEY CLIENT PRIVILEGED. DO NOT PUT INTO PUBLIC FILES.**

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2018-03-05**REDACTED**

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REDACTED

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2018-03-12

REDACTED

EXHIBIT 4

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REDACTED

2018-04-05

Udd, Rchard, Steph, Ackerman, Krista, Pierard, Candice, Barbara

KP: We were prepared to send comments, they were crafted to be able to ID objectionable items. Have some objection issues, some recommendations.

#	Issue	Solution	Cites
1	No WQBELs except pH, or conditions to impose WQS. Does include TBELs being higher than WQS.	WQBELs imposed for Hg, Cu, Cd, As, Zn	402(b), 122.4(d), 122.44, 123.44(c)(1), 123.44(c)(8) and (9)
2	Lacks clear narrative effluent limits – no unqualified prohibition on discharge causing WQS excursion.	Establish WQBELs, remove qualifying language.	6.16.4
3	Record doesn't show consideration of all pollutants in the application. Without WQBELs, there is no assurance of meeting WQS.	Include the WQBELs at SD001.	
4	RPA relies on data in the application being maxes, without accounting for uncertainty/variability. Alternative statistical procedures for PEQ (GLI). Addendum to the MOA for GLI – MN committed to meet 132 Appx F, Procedure 5, ¶(B)(2)	Follow GLI procedures for PEQ.	40 C.F.R. § 132 Appx F, procedure 5, ¶(B)(2)
5	Decision on WQBELs relies on operating limits at WS074. Limits are set at low values, but there is no basis to conclude all WQS for parameters in the application would be met. Especially for Hg – pilot study didn't address Hg.		FS pp. 34-37
6	No SO4/Cu addition after WS074, but no prohibition later – mineral addition – for aluminum. Available lime contains aluminum, could exceed WQS. WET should include WET limits after mineral addition.	Include WQBEL for Al and WET after mineral addition.	
7	Insufficient info on downstream waters. Downstream exceed for Hg now. Effectiveness of treatment is unknown.	Overall, MPCA should include WQBELs for parameters in the application with WQS.	402(b)(5)

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8	ELGs: Doesn't include violation restrictions under 440. Carryover acts as a credit.	Set numeric flow limit consistent with §104. Include effluent limits in 440.12, 440. Subp. A for iron ore for legacy pollutants.	40 CFR 440 subparts G, J, K. 440.104(b)(2)(i). 440.12 (iron ore).
9	As written, permit precludes enforcement – permit shield		402(k)
10	Operating limits may not be enforceable by EPA, citizens, MPCA. Internal operating limit based on voluntary commitment.	Ensure all NPDES conditions are enforceable under the CWA.	
11	Transfer CE permit and CD to PM affiliate. Arrangement could be the same permittee holding multiple permits. Unclear who is responsible, confuses enforcement requirements. Speculation of the attenuation. FS acknowledges seep discharge. Draft permit should assign responsibility. Permit could list known seeps, maps, relation to containment. Should have monitoring and limits. Could include interim limits and authorization until contained.	Move the CE permit into Northmet permit.	FS at 17.
12	General permit for CSW: Individual and supporting documents don't say what is excluded. It would include 900 acres of wetlands – there is significant Hg there. MPCA addresses Hg in peat mining, but not here. Hg is unregulated. ID that this is covered under CSW, evaluate RP for Hg. If RP exists, GP coverage is not appropriate.	Conduct RP analysis for Hg in stormwater; possibly cover in individual permit.	
13	6.10.17: No discharge from mine site – unclear how this is assured. Must monitor to ensure compliance.	Fix at 6.10.17, 6.10.26, 6.10.78, 3.11.2, 6.11.9, 6.12.2, 6.15.11	122.44(i)
14	Decision-making procedures: Plans/reports are de facto permit mods. Likely to be major. Permit allows mod without public process; mods may be unenforceable.	Require immediate CAs, using enforcement action, then modify permit.	6.10.38, other locations in permit.
15	BOD, pH, TSS, FC, etc. – limits at sewage stabilization pond – WS009, SD001. No RP discussion about this.	Reporting requirements – weekly observations	
16	WWTS discharge distribution – unclear on flows.		6.10.1-6.10.9
17	Controlled discharge of stabilization ponds – how is		Permit at 11

EXHIBIT 4

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	this enforceable?		
18	6.10.12 doesn't allow cells to be combined until system is "fully operating" – define that term.		6.10.12
19	6.10.27 – paired wells. Where established, reference numbers. If not established, put in monitoring table.		6.10.27
20	6.10.26: Discharge to surface from FTB is prohibited. Unclear how implemented. Recommend clarifying.		
21	6.10.49 – sample at 003, 006, 009, 027: after initial operations. Should sample upon issuance for baseline data.		
22	6.11.11: PCBs. Work with permittee; if no PCBs, have them certify that. If present, monitor for them to verify prohibition.		
23	Cite authority (federal and state) for which discharge is allowed		
24	References to permit application – point to where, not just a volume.		
25	6.10.21: pre-approve mitigation – link to where that is located.		
26	Maps are unclear. Reference where higher-res is viewable.		

EXHIBIT 5

Subject: Response to comments

Date: Thursday, September 6, 2018 at 4:03:44 PM Central Daylight Time

From: Oknich, MPCA (sent by FYDIBOHF23SPDLT </o=ExchangeLabs/ou=Exchange Administrative Group /cn=Recipients/cn=9fb15cf7ae894973bf984d9629a0dda6-joknich>)

To: Kuskie, Melissa (MPCA)

Ok – I think I'm getting our response to comments process down, thanks to Sarah and Steph. I'll start working on a spreadsheet to mirror Richard's sorting spreadsheet asap, and use Sarah, Steph and Richard as my resources. If you have input on how it's formatted or what it contains, please let me know. It'll be in the non-public – PHE – 401 folder.

Jen Oknich

Wetland Hydrologist, MS, WDC, CSRE, CER, CFM
Minnesota Pollution Control Agency



Minnesota Pollution Control Agency

Our mission is to protect and improve the environment and human health.

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EXHIBIT 6

RELATORS' PROPOSED FORENSIC SEARCH TERMS

This list is prepared from the list sent by Relators to MPCA on December 10, 2019, at 2:46 pm (central), correcting typos. Search terms which were agreed to at that time are highlighted in bold font.

1. Adonis Neblett OR Adonis OR Neblett
2. "Ann Foss" OR Ann OR Foss¹
3. Babbit! OR "Hoyt Lakes"
4. **Barbara Wester OR Wester**
5. **"Barr Engineering" OR Barr**
6. Brian Schweiss OR Brian OR Schweiss
7. Cathy Stepp OR Cathy OR Stepp
8. **Candice Bauer OR Candice OR Bauer**
9. Christopher Korleski OR Chris OR Korleski
10. "Cliffs Erie" OR "Cliff's Erie" OR Cliffs
11. ("Data Practice!" OR DPA) and ("Poly! OR "Poly Met" OR PM! OR NothMet OR "North met" OR Northmet OR "North Met")
12. Dennis Donohue OR Donohue
13. Don Richards OR Richards
14. (EPA OR EPA.gov OR DPA) AND (Poly! OR "Poly Met")
15. ("EPA Region 5" OR "Region 5" OR R5) AND (comment OR concern OR CSW OR draft OR enforce! OR mercury OR modif! OR object! OR permit OR "permit shield" OR pre-proposed OR proposed OR "public comment" OR "public notice" OR stormwater OR TBEL OR "water quality standard" OR WQBEL)
16. "Jeff! Smith" OR Smith
17. **"Jeff! Udd" OR Udd**
18. "Jillian Rountree" OR Rountree
19. "John Martin" OR Martin
20. **Jon Cherry OR Cherry**
21. ("John Stine" OR "Stine" OR "John Linc Stine")

¹ The search term would not be run against Ann Foss's user file.

EXHIBIT 6

22. Kevin Pierard OR Kevin OR Pierard
23. Kurt Thiede OR Thiede OR Kurt
24. **Krista McKim OR Krista OR McKim**
25. Linda Holst OR Linda OR Holst
26. **LTV OR LTVSMC**
27. **Mark Ackerman OR Ackerman**
28. Mark Compton OR Mark OR Compton
29. **"Memorandum of Agreement" OR "Memorandum of Understanding"**
30. "Michael Schmidt" OR "Mike Schmidt" OR Schmidt
31. "Michelle Beeman" OR Beeman
32. **Mining AND (copper OR sulfide OR PGE)**
33. **MOA OR MOU**
34. NPDES! AND ("draft permit!" OR "pre-public notice" OR "public notice" OR proposed OR pre-proposed OR WQBEL OR TBEL OR "operating limits" OR "permit shield")
35. **"PM permit*"**
36. Poly! OR "Poly Met" OR PM! OR NorthMet OR "North met" OR Northmet OR "North Met"
37. "Rebecca Flood" OR Flood
38. "Richard Clark" OR "Rich Clark" OR Clark
39. "Richard Schwartz" OR "Rich Schwartz" OR Schwartz
40. "Robert Kaplan" OR Kaplan
41. "reasonable potential"
42. Scott Ireland OR Ireland
43. **"Scott Kyser" OR Kyser**
44. "Shannon Lotthammer" OR Shannon OR Lotthammer OR shannon.lotthammer@state.mn.us²
45. "Stephanie Handeland" OR Steph OR Stephanie OR Handeland
46. Commissioner AND (Poly* OR "Poly Met" OR PM! OR NorthMet OR "North met" OR Northmet OR EPA.gov OR Stepp OR Thiede OR Moore OR Kearney)
47. Leverett Nelson" OR Leverett OR Rett OR Nelson
48. **("Water Quality" AND permit) OR "Water Quality Permit" OR "WQ Permit"**

² The search term would not be run against Lotthammer's user file.



EXHIBIT 7

SERVICES AGREEMENT & STATEMENT OF WORK

**Holland and Hart, LLP
MASLON LLP**

Re: Relators v. MN Pollution Control Agency

THIS SERVICES AGREEMENT AND STATEMENT OF WORK ("Agreement"), dated as of November 26, 2019, is made between **Xcellence, Inc. d/b/a Xact Data Discovery**, an electronic discovery vendor with an address for notice purposes of 5800 Foxridge Drive, Suite 406, Mission, Kansas 66202 ("Xact"), **Holland and Hart, LLP** ("Law Firm #1") as counsel for The Minnesota Pollution Control Agency, and **Maslon LLP** ("Law Firm #2") as counsel for Relators referred to collectively as "Law Firms". Law Firm #1 and Law Firm #2 are jointly retaining Xact for the purpose of providing digital forensics and related services. The Law Firms have agreed to joint responsibility for payment for services performed by Xact with Law Firm #1 and Law Firm #2 each paying 50%. This Agreement provides the terms and conditions upon which Xact will provide certain deliverables and services for purposes of assisting Law Firms to provide legal counsel to its Clients ("Client" or "Clients"), including in anticipation of litigation (the "Deliverables" and "Services"), and described in the Service Overview and Pricing Guide (scope of work) and subsequent statements of work and addenda (collectively, "Statements of Work") as are attached to and made a part of this Agreement. The Statements of Work describe the specifications of the Deliverables and other requirements and additional terms and conditions relating to the Services and/or Deliverables.

The Services performed hereunder are to enable Law Firms to render legal advice and related legal services to their respective Clients in connection with a legal matter. Xact's communications with Client and Law Firms, work product, and all information and data received from Client or Law Firms shall be treated and regarded as confidential information and subject to the confidentiality requirements in this Agreement. Xact agrees to work under the direct supervision, instruction, and direction of Law Firms. Xact agrees to perform services that are jointly authorized by both Law Firms.

TERMS & CONDITIONS

Termination: Xact may terminate the Agreement effective upon written notice if either Law Firm #1, Law Firm #2, or both Law Firms fail to pay any amount when due hereunder and such failure continues for a period of 15 days after receiving written notice of such failure. Xact may terminate the Agreement or any Statement of Work if Xact becomes aware of unexpected circumstances and Xact determines, in its professional judgment, that due to such circumstances it cannot complete or continue the Services.

Events on Termination.

1. Termination of the Agreement by any Party will terminate all Statements of Work issued under the Agreement, effective on the termination of the Agreement. If Xact terminates the Agreement for failure to pay by one of the Law Firms and the other Law Firm is not delinquent, Xact and the non-delinquent Law Firm may upon mutual agreement enter into another Services Agreement using the same Forensic Services Pricing as is recited in this Agreement.
2. Upon termination of this Agreement, except as otherwise expressly provided in this Agreement, all rights, licenses and authorizations granted by either Party to the other hereunder will immediately terminate, except for those licenses that are perpetual and irrevocable.



EXHIBIT 7

3. Upon any termination of the applicable Statement of Work before the expiration of the applicable Statement of Work term or completion of Services therein, Law Firms shall pay those termination fees set forth in the Statement of Work. Such fees will be paid within 30 days of the effective date of termination of the Statement of Work.

Conflicts: If Law Firms require Services in connection with or related to a lawsuit, trial, hearing, arbitration, mediation, tribunal, proceeding, or other dispute (“Proceeding”), Law Firms shall inform Xact before execution of the Statement of Work of such Proceedings and the parties adverse to Client and Law Firms. Upon being informed of such adverse parties, if Xact is aware that it already represents an identified adverse party, Xact shall disclose that representation (subject to its obligations to the adverse party) to Law Firm prior to the execution of the Statement of Work, and the Parties will discuss whether Xact is capable of providing Services to Client and Law Firms for that Proceeding notwithstanding the adverse representation. If the Parties agree to execute the Statement of Work for Services related to the Proceeding, Xact shall not undertake the representation of the other identified adverse parties to the Proceedings for work in connection with the same Proceeding without first obtaining the express written consent of Client and Law Firms, as applicable. In the event a conflict is discovered after Services have been provided and Client did not provide the necessary conflict information, payment will still be owed for Services provided. Unless specifically requested, Xact ordinarily does not check for conflicts on projects where the Services are purely mechanical and non-consultative, including, by way of example only, printing, scanning, unitization, coding, bates-stamping, tiffing, and closing binders.

Statement of Work: Each Statement of Work must be approved by an authorized officer of each Party. A Statement of Work can be approved by email or by signing the Statement of Work. Once approved by both Parties, the new Statement of Work will be effective (unless a different Effective Date is specified in the Statement of Work) and the Services thereunder will form part of the Services governed by this Agreement. References herein to this “Agreement” include all Statements of Work. All Statements of Work incorporate by reference, and are subject to, the terms and conditions of this Agreement.

Change Orders: Any modifications or changes to the Services following approval by each Party of a Statement of Work must be memorialized in a mutually agreed upon change order (a “**Change Order**”) either approved by email or signed by both Parties.

Late Payment: Should any Fees remain unpaid by the due date, Law Firms shall pay interest on such unpaid amounts at a rate equal to the lower of one and one half (1.5%) per month or the highest rate permitted by applicable law. Law Firm #1 and Law Firm #2 are separately responsible only for obligations arising from its own failure to pay.

Damages Cap: The aggregate liability of a Party to the other Party for all claims and damages related to the Agreement, whether based on an action in contract, equity, negligence, tort or some other theory, will not exceed the total fees paid or to be paid by Law Firms to Xact for the Services giving rise to the liability. Xact’s pricing reflects the allocation of risk between the Parties and the limitations of liability and damages set forth in this Agreement. Notwithstanding the foregoing, as between the Minnesota Entities (including the State of Minnesota, MNIT, and MPCA), and XAct, where this Paragraph (“Damages Cap”) or the following Paragraph (“Confidentiality”) is inconsistent with, or conflicts with, the additional Non-Disclosure Agreement entered into on November 27, 2019, between XAct and Minnesota IT Services, on behalf of Minnesota PCA and the State of Minnesota, that Non-Disclosure Agreement will control.

Confidentiality: Neither Party will disclose the other Party’s Confidential Information to, or use the other Party’s Confidential Information for the benefit of, any third party (excluding Clients on an as needed basis) without the other Party’s prior written consent. All Confidential Information relating to a Party (including its Clients) will be protected by the receiving Party against unauthorized use or disclosure to the same extent

**EXHIBIT 7**

and with at least the same degree of care as such Party protects its own confidential or proprietary information of like kind and import, but in no event using less than a reasonable degree of care. Each Party may disclose the other Party's Confidential Information to its officers, agents, subcontractors and employees (including Xact Agents), and use such Confidential Information, only to the extent not prohibited by law and only as necessary to perform or receive the Services.

* * * * *

Remainder of page left intentionally blank

* * * * *



EXHIBIT 7

SERVICE OVERVIEW AND PRICING GUIDE

The following is an overview of services requested in this matter, as well as other services that could be provided as needed. This is not an exhaustive list and does not represent the full portfolio of services Xact can provide in this matter. Please note that rates quoted are highly discounted from our standard pricing and confidential handling is therefore requested.

Forensic Services:

Item	Unit	Unit Price
Full Forensic Image – Remote Collection KIT	Hard Drive	\$500
Remote Collection – Targeted Collection	Hour	\$250
On-Site collection (10 hours)	Day	\$2,500
Forensic Media (if requested)	Hard Drive	\$150
Forensic Analysis and Consulting	Hour	\$250
Travel	Each	At cost
Travel Time	Hour	\$125
Webmail collection	Mailbox	\$350
Expert Testimony	Hour	\$575

EDD Analysis and Processing:

Item	Unit	Unit Price
EDD Processing – Native Review Deliverable(s) (includes removal of system files, file extensions, file de-duplication, password cracking, keyword searching and date filtering, with unlimited reporting)	GB “IN” (Extracted)	\$45
<i>Enhanced</i> EDD Processing – Native Review Deliverable	GB “OUT”	\$95
Technical Time (e.g. assembly and QC of productions, loading of 3 rd -party data, custom reporting) – typically 1 hour per volume or production	Hour	\$150
Project Management (core services included, custom requests billed at Tech Time rate)	Hour	Included

Review & Production Hosting:

Item	Unit	Unit Price
Hosting of Data in Relativity (If Needed)	GB/Month	\$8
Relativity User License (If Needed)	User/Month	\$69
Post-native Review Production – Tiff	Page	\$0.02
OCR, Bates Labeling, Load Files, Metadata Export for Document Productions	Page	\$0.02



EXHIBIT 7

Item	Unit	Unit Price
24x7 Relativity User Support	Hour	Included

Managed Attorney Review Services:

Item	Unit	Unit Price
Contract Attorney Review by U.S. Licensed Attorneys – Salt Lake City, Chicago or Detroit Review Centers	Reviewer/Hour	\$50
Review Management (Estimated 10% of Total Review)	Manager/Hour	\$125

Archiving:

Item	Unit	Unit Price
90 day warm storage	90 Days	Included
Hard Drive Archive (Xact Vault or client return)	Hour	\$150

TERMS OF PAYMENT

Net 30 days from receipt of invoice. Payment of services delivered, or payment for change requests made on this statement of work, is the responsibility of the undersigned Law Firm, regardless of whether Law Firm has received reimbursement from a third party, such as its Client or insurance provider.

A Party's Authorized Signature sent via email approval constitutes legal authorization.

Agreed to:
Law Firm #1
Holland & Hart, LLP

Agreed to:
Law Firm #2
Maslon, LLP

Print Name: JOHN C. MARTIN

Print Name: _____

By: [Signature]
Authorized Signature

By: _____
Authorized Signature

Date: 11/27/19

Date: _____

Agreed to:
XACT DATA DISCOVERY

Print Name: _____

By: _____
Authorized Signature

EXHIBIT 7



XACT DATA DISCOVERY
Because you need to know

Date: _____

Billing Contact Information:

Note: All billing for work performed is to be split equally between the two listed parties below:

1.

Contact: Trisa J. DiPaola

Holland and Hart, LLP

Address: P.O. Box 68 (USPS) / 25 S. Willow St., Suite 200 (UPS, FedEx)

Jackson, Wyoming 83001-0068

Phone: 307-734-4501 Direct

Email: tjdipaola@hollandhart.com

2.

Contact: _____

Maslon, LLP

Address: _____

Phone: _____

Email: _____

EXHIBIT 8

Evan Nelson

From: Evan Nelson
Sent: Monday, December 9, 2019 5:32 PM
To: 'Alison C. Hunter'; Susan M. Mathiascheck; John C. Martin
Cc: Margo Brownell; Bill Pentelovitch; 'Paula Maccabee'; Elise Larson; 'kreuther@mncenter.org'; Sean Copeland; Vanessa Ray. Hodge; Matthew L. Murdock; Daniel Q. Poretti; Matthew C. Murphy
Subject: RE: MPCA Revised Proposed Search Terms
Attachments: MPCA - 2019-12-9 Relators Amended List of Proposed Search Terms 4842-1442-1678.docx

John, Susan, and Alison:

Thank you for taking the time to call me this afternoon. As we discussed, I am attaching Relators' amended list of proposed search terms. These terms were amended so as to avoid overly-inclusive, single-word searches (other than single word searches for relevant individual's names), while at the same time capturing all possible relevant and responsive data. I have received MPCA's list of proposed terms. As we discussed, hopefully we can come to agreement as to these terms. If we need to have a phone call tomorrow regarding certain items, we can do so.

Regarding the issue of MPCA separate and additional retention of XACT as contract attorney for document review of documents retrieved by these search terms, which I learned about during our phone conversation, I am conferring with my co-counsel. At the very least, this development raises a concern as to XACT's conflict of interest as a jointly-retained expert on the one hand and MPCA's attorney on the other.

Best,
Evan

EVAN A. NELSON | ATTORNEY

p 612.672.8396

MASLON LLP

3300 Wells Fargo Center, 90 South Seventh Street, Minneapolis, MN 55402

From: Alison C. Hunter <ACHunter@hollandhart.com>
Sent: Monday, December 9, 2019 4:49 PM
To: Evan Nelson <Evan.Nelson@maslon.com>
Cc: Susan M. Mathiascheck <SMMathiascheck@hollandhart.com>; John C. Martin <JCMartin@hollandhart.com>
Subject: MPCA Revised Proposed Search Terms

Evan: As discussed, please find attached MPCA's revised proposed search terms. The attached excel spreadsheet contains Realtors' proposed search terms from 9/29 in Column A and then MPCA's revised proposed search terms in Column B.

Please let us know if you have any questions.

Best,
Alison

Alison Hunter

EXHIBIT 8

Associate, Holland & Hart LLP
800 W. Main Street, Suite 1750, Boise ID 83702
T 208.383.3985 F 208.392.1636



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EXHIBIT 9

Evan Nelson

From: Evan Nelson
Sent: Tuesday, December 10, 2019 2:46 PM
To: 'Alison C. Hunter'; 'Susan M. Mathiascheck'; 'John C. Martin'
Cc: Margo Brownell; Bill Pentelovitch; 'Paula Maccabee'; 'Elise Larson';
'kreuther@mncenter.org'; 'Sean Copeland'; 'Vanessa Ray. Hodge'; 'Matthew L. Murdock';
'Daniel Q. Poretti'; 'Matthew C. Murphy'
Subject: RE: MPCA Revised Proposed Search Terms
Attachments: MPCA - Relators search term proposal.xlsx

John, Susan, and Alison:

Attached, please find a spreadsheet that sets forth Relators' position and proposal as to search terms. This spreadsheet builds off the one you circulated yesterday. Where there is alignment, I have highlighted the cell green. The spreadsheet is organized as follows:

Column A – Relators' terms from 11/29
Column B – Relators' terms' numbering (for ease of reference)
Column C – MPCA's proposed terms from 12/9
Column D – Relators' amended terms from 12/9
Column E – Relators' position as to the terms
Column F – Relators' proposed terms as of 12/10
Column G – Relators' proposed terms' numbering (for ease of reference)

Please advise in writing if the terms in column F are acceptable.

Best,
Evan

EVAN A. NELSON | ATTORNEY

p 612.672.8396

MASLON LLP

3300 Wells Fargo Center, 90 South Seventh Street, Minneapolis, MN 55402

From: Alison C. Hunter <ACHunter@hollandhart.com>
Sent: Monday, December 9, 2019 4:49 PM
To: Evan Nelson <Evan.Nelson@maslon.com>
Cc: Susan M. Mathiascheck <SMMathiascheck@hollandhart.com>; John C. Martin <JCMartin@hollandhart.com>
Subject: MPCA Revised Proposed Search Terms

Evan: As discussed, please find attached MPCA's revised proposed search terms. The attached excel spreadsheet contains Realtors' proposed search terms from 9/29 in Column A and then MPCA's revised proposed search terms in Column B.

Please let us know if you have any questions.

Best,
Alison

EXHIBIT 9

Alison Hunter

Associate, Holland & Hart LLP

800 W. Main Street, Suite 1750, Boise ID 83702

T 208.383.3985 F 208.392.1636



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EXHIBIT 10

The logo for MASLON, with the word "MASLON" in a serif font and a horizontal line underneath.

Evan A. Nelson
Direct Dial: 612.672.8396
Direct Fax: 612.642.8396
evan.nelson@maslon.com

December 10, 2019

Via Email

John C. Martin
Bryson C. Smith
HOLLAND & HART, LLP
PO Box 68
Jackson, WY 83001
jcmartin@hollandhart.com
bcsmith@hollandhart.com

Richard Schwartz
CROWELL & MORING LLP
1001 Pennsylvania Avenue NW
Washington, DC 20004
rschwartz@crowell.com

Susan M. Mathiascheck
HOLLAND & HART, LLP
975 F Street, Ste. 900
Washington, DC 20001
smmathiascheck@hollandhart.com

Re: MPCA Retention of Xact Data Recovery Document-Review Attorneys
Ramsey County Court File No. 62-cv-19-4626

Dear Counsel:

Relators write regarding Minnesota Pollution Control Agency's ("MPCA") retention of our jointly-retained forensic search company – Xact Data Recovery ("Xact") – to be its attorney for purposes of reviewing documents retrieved by Xact's court-ordered forensic search of MPCA computers and servers.¹ In doing so, MPCA has caused there to be a conflict of interest, as Xact cannot be both Relators' expert for the forensic search and adverse to Relators for documents retrieved from that search. Therefore, Relators demand that MPCA take affirmative steps to resolve this conflict of interest no later than noon (central) on December 11, 2019. If this matter is not sufficiently addressed, Relators will move the Court for appropriate relief, up to and including a prohibition of Xact representing MPCA in this matter and an award for Relators' fees and costs related to this forensic search and in bringing such a motion.

¹ Despite the fact that MPCA and Relators had jointly retained Xact, MPCA did not disclose to Relators its separate retention of Xact until yesterday afternoon, in response to Relators' counsel's question regarding services provided to MPCA by Xact.

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By way of background, during the November 13, 2019 Pre-Hearing Conference the Court ordered a forensic search of MPCA's "desktops/laptop hard drives and all servers that stored information generated by John Linc Stine, Shannon Lotthammer, and Ann Foss." Am. Order Setting Evid. Hr'g ¶ 10(a)-(b) (Nov. 19, 2019). This search was to be "conducted by an expert . . . jointly retained by the parties." *Id.* at ¶ 10(d). Following the Pre-Hearing Conference, Relators received recommendations for four potential experts: C-TEQ Data Consultants, LLC, Xact, Ricoh Forensics, and Ontrack. During a November 21, 2019 meet-and-confer, MPCA's counsel suggested Xact among the vendors they found suitable and acceptable. Thus, MPCA and Relators agreed to retain Xact.

Separately, Relators and MPCA were ordered to confer on search terms to apply to any documents recovered by the forensic search. *Id.* at ¶ 10(d). Relators have proposed broad search terms designed to find "documents [that] may have been erased, even inadvertently, that are responsive to the issues in this case." (Pre-Hr'g Conference Tr. 107:1-3.) MPCA has proposed narrower search terms; for instance, MPCA argued to the Court that each search term should be limited by an identifier directly linking the search term to the PolyMet project. While this matter may be related to permitting the PolyMet project, a document's relevance and responsiveness is determined by Relators' alleged procedural irregularities, deposition questions, and requests for production of documents. Negotiations regarding search terms are ongoing.

On November 27, 2019, MPCA signed a contract with Xact, entitled the Services Agreement & Statement of Work (the "Contract") (attached as Exhibit A). The Contract was for the joint retention "of providing digital forensics and related services." (*Id.* at 1.) Xact agreed to "perform services that are jointly authorized by both" MPCA and Relators. (*Id.*)

The Contract provided for avoiding conflicts of interest in the event that Xact's services were related to a legal Proceeding, as they are in this instance. (*Id.* at 2.) Specifically, in the event Xact represented an adverse party in such a Proceeding, Xact would inform the parties so that the parties could "discuss whether Xact is capable of providing Services . . . for that Proceeding notwithstanding the adverse representation." (*Id.*) In this Proceeding, Relators and MPCA are adverse to each other. Thus, Xact's representation of MPCA that is separate from, in addition to, or parallel to Xact's joint representation is adverse to Relators. But there was no discussion between MPCA and Relators whether Xact could provide both joint representation to MPCA and Relators and also represent MPCA adverse to Relators.

Here, it is not possible. On the one hand, Xact is being retained to collect documents from MPCA as a neutral expert. On the other hand, Xact will review those same documents for purposes of withholding documents on the basis of relevancy, responsiveness, or privilege objections.² Xact is

² Further, the Contract quotes hourly rates for "Managed Attorney Review Services" and "Contract Attorney Review." (*Id.* at 5.) It would be nonsensical for Relators to agree to retain attorneys for the purpose of withholding documents from Relators. While Relators have been told that Xact lists

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being asked to broadly retrieve documents for Relators benefit and then to restrict those same documents from Relators. This is a clear conflict of interest.

The fact that only some of Xact's employees performed the forensic search while a separate group of employees will be retained as attorneys does not solve this conflict of interest. While Relators had initially considered whether an ethical wall would be sufficient, it is apparent a wall is not enough. That is because Xact's role as a neutral expert for collection purposes and MPCA's counsel for withholding purposes has already been blurred.

Specifically, at the December 6, 2019 conference with the Court, counsel for MPCA represented that Xact had run hypothetical search terms against the collected documents. Counsel for MPCA represented that Relators' proposed search terms yielded a certain number of documents, and further represented that only a certain percentage of those documents were responsive. This information was used by MPCA to argue that certain search terms were too broad. This means Xact was asked to provide a service to MPCA – running hypothetical search terms and reviewing documents for relevancy – that was adverse to Relators. If this was done pursuant to our joint-retention, it was a breach of Xact's contractual promises to only perform services authorized by *both* MPCA and Relators. If this was done pursuant to Xact's representation of MPCA, Xact used its unique access to data that it held for the joint benefit of both parties to provide legal advice adverse to Relators.

MPCA's retention of Xact contract attorneys and all unilateral conversations with Xact for services are improper. While MPCA is free to retain attorneys so long as they are advised of the filings, discovery requests, and Court rulings that determine relevancy and responsiveness, Relators see no compelling reason for MPCA to retain the same company that Relators and MPCA jointly retained to conduct the forensic search. To resolve this conflict of interest MPCA created, Relators demand the following:

- (1) MPCA must disclose the date and content of all previous communications with Xact;
- (2) MPCA must voluntarily cease using Xact for any purpose other than the jointly-retained representation for the forensic search; and
- (3) MPCA must agree not to communicate with Xact other than in writing copied to Relators or in a conference call in which Relators participate.

Please respond to this letter in writing by noon (central) tomorrow, December 11, 2019. If this issue remains unresolved at that time, Relators will seek all appropriate relief from the Court.

potential services in all of its statements of work, Relators do not and would not agree to retain attorneys whose services would be adverse to Relators' interest.

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Regards,

MASLON LLP/s/ Evan A. Nelson

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*Attorneys for Relators Center for Biological
 Diversity, Friends of the Boundary Waters
 Wilderness, and Minnesota Center for
 Environmental Advocacy*

JUST CHANGE LAW OFFICES/s/ Paula Maccabee

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FOND DU LAC BAND OF LAKE SUPERIOR CHIPPEWA/s/ Sean W. Copeland

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 Washington, D.C. 20005
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 Email: mmurdock@sonosky.com

Enclosure

cc: Mike Gallegos, Xact Data Discovery (mgallegos@xactdatadiscovery.com)



EXHIBIT 10

SERVICES AGREEMENT & STATEMENT OF WORK**Holland and Hart, LLP****MASLON LLP****Re: Relators v. MN Pollution Control Agency**

THIS SERVICES AGREEMENT AND STATEMENT OF WORK ("Agreement"), dated as of November 26, 2019, is made between **Xcellence, Inc. d/b/a Xact Data Discovery**, an electronic discovery vendor with an address for notice purposes of 5800 Foxridge Drive, Suite 406, Mission, Kansas 66202 ("Xact"), **Holland and Hart, LLP** ("Law Firm #1") as counsel for The Minnesota Pollution Control Agency, and **Maslon LLP** ("Law Firm #2") as counsel for Relators referred to collectively as "Law Firms". Law Firm #1 and Law Firm #2 are jointly retaining Xact for the purpose of providing digital forensics and related services. The Law Firms have agreed to joint responsibility for payment for services performed by Xact with Law Firm #1 and Law Firm #2 each paying 50%. This Agreement provides the terms and conditions upon which Xact will provide certain deliverables and services for purposes of assisting Law Firms to provide legal counsel to its Clients ("Client" or "Clients"), including in anticipation of litigation (the "Deliverables" and "Services"), and described in the Service Overview and Pricing Guide (scope of work) and subsequent statements of work and addenda (collectively, "Statements of Work") as are attached to and made a part of this Agreement. The Statements of Work describe the specifications of the Deliverables and other requirements and additional terms and conditions relating to the Services and/or Deliverables.

The Services performed hereunder are to enable Law Firms to render legal advice and related legal services to their respective Clients in connection with a legal matter. Xact's communications with Client and Law Firms, work product, and all information and data received from Client or Law Firms shall be treated and regarded as confidential information and subject to the confidentiality requirements in this Agreement. Xact agrees to work under the direct supervision, instruction, and direction of Law Firms. Xact agrees to perform services that are jointly authorized by both Law Firms.

TERMS & CONDITIONS

Termination: Xact may terminate the Agreement effective upon written notice if either Law Firm #1, Law Firm #2, or both Law Firms fail to pay any amount when due hereunder and such failure continues for a period of 15 days after receiving written notice of such failure. Xact may terminate the Agreement or any Statement of Work if Xact becomes aware of unexpected circumstances and Xact determines, in its professional judgment, that due to such circumstances it cannot complete or continue the Services.

Events on Termination.

1. Termination of the Agreement by any Party will terminate all Statements of Work issued under the Agreement, effective on the termination of the Agreement. If Xact terminates the Agreement for failure to pay by one of the Law Firms and the other Law Firm is not delinquent, Xact and the non-delinquent Law Firm may upon mutual agreement enter into another Services Agreement using the same Forensic Services Pricing as is recited in this Agreement.
2. Upon termination of this Agreement, except as otherwise expressly provided in this Agreement, all rights, licenses and authorizations granted by either Party to the other hereunder will immediately terminate, except for those licenses that are perpetual and irrevocable.



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3. Upon any termination of the applicable Statement of Work before the expiration of the applicable Statement of Work term or completion of Services therein, Law Firms shall pay those termination fees set forth in the Statement of Work. Such fees will be paid within 30 days of the effective date of termination of the Statement of Work.

Conflicts: If Law Firms require Services in connection with or related to a lawsuit, trial, hearing, arbitration, mediation, tribunal, proceeding, or other dispute (“Proceeding”), Law Firms shall inform Xact before execution of the Statement of Work of such Proceedings and the parties adverse to Client and Law Firms. Upon being informed of such adverse parties, if Xact is aware that it already represents an identified adverse party, Xact shall disclose that representation (subject to its obligations to the adverse party) to Law Firm prior to the execution of the Statement of Work, and the Parties will discuss whether Xact is capable of providing Services to Client and Law Firms for that Proceeding notwithstanding the adverse representation. If the Parties agree to execute the Statement of Work for Services related to the Proceeding, Xact shall not undertake the representation of the other identified adverse parties to the Proceedings for work in connection with the same Proceeding without first obtaining the express written consent of Client and Law Firms, as applicable. In the event a conflict is discovered after Services have been provided and Client did not provide the necessary conflict information, payment will still be owed for Services provided. Unless specifically requested, Xact ordinarily does not check for conflicts on projects where the Services are purely mechanical and non-consultative, including, by way of example only, printing, scanning, unitization, coding, bates-stamping, tiffing, and closing binders.

Statement of Work: Each Statement of Work must be approved by an authorized officer of each Party. A Statement of Work can be approved by email or by signing the Statement of Work. Once approved by both Parties, the new Statement of Work will be effective (unless a different Effective Date is specified in the Statement of Work) and the Services thereunder will form part of the Services governed by this Agreement. References herein to this “Agreement” include all Statements of Work. All Statements of Work incorporate by reference, and are subject to, the terms and conditions of this Agreement.

Change Orders: Any modifications or changes to the Services following approval by each Party of a Statement of Work must be memorialized in a mutually agreed upon change order (a “**Change Order**”) either approved by email or signed by both Parties.

Late Payment: Should any Fees remain unpaid by the due date, Law Firms shall pay interest on such unpaid amounts at a rate equal to the lower of one and one half (1.5%) per month or the highest rate permitted by applicable law. Law Firm #1 and Law Firm #2 are separately responsible only for obligations arising from its own failure to pay.

Damages Cap: The aggregate liability of a Party to the other Party for all claims and damages related to the Agreement, whether based on an action in contract, equity, negligence, tort or some other theory, will not exceed the total fees paid or to be paid by Law Firms to Xact for the Services giving rise to the liability. Xact’s pricing reflects the allocation of risk between the Parties and the limitations of liability and damages set forth in this Agreement. Notwithstanding the foregoing, as between the Minnesota Entities (including the State of Minnesota, MNIT, and MPCA), and XAct, where this Paragraph (“Damages Cap”) or the following Paragraph (“Confidentiality”) is inconsistent with, or conflicts with, the additional Non-Disclosure Agreement entered into on November 27, 2019, between XAct and Minnesota IT Services, on behalf of Minnesota PCA and the State of Minnesota, that Non-Disclosure Agreement will control.

Confidentiality: Neither Party will disclose the other Party’s Confidential Information to, or use the other Party’s Confidential Information for the benefit of, any third party (excluding Clients on an as needed basis) without the other Party’s prior written consent. All Confidential Information relating to a Party (including its Clients) will be protected by the receiving Party against unauthorized use or disclosure to the same extent



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and with at least the same degree of care as such Party protects its own confidential or proprietary information of like kind and import, but in no event using less than a reasonable degree of care. Each Party may disclose the other Party's Confidential Information to its officers, agents, subcontractors and employees (including Xact Agents), and use such Confidential Information, only to the extent not prohibited by law and only as necessary to perform or receive the Services.

* * * * *

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EXHIBIT 10

SERVICE OVERVIEW AND PRICING GUIDE

The following is an overview of services requested in this matter, as well as other services that could be provided as needed. This is not an exhaustive list and does not represent the full portfolio of services Xact can provide in this matter. Please note that rates quoted are highly discounted from our standard pricing and confidential handling is therefore requested.

Forensic Services:

Item	Unit	Unit Price
Full Forensic Image – Remote Collection KIT	Hard Drive	\$500
Remote Collection – Targeted Collection	Hour	\$250
On-Site collection (10 hours)	Day	\$2,500
Forensic Media (if requested)	Hard Drive	\$150
Forensic Analysis and Consulting	Hour	\$250
Travel	Each	At cost
Travel Time	Hour	\$125
Webmail collection	Mailbox	\$350
Expert Testimony	Hour	\$575

EDD Analysis and Processing:

Item	Unit	Unit Price
EDD Processing – Native Review Deliverable(s) (includes removal of system files, file extensions, file de-duplication, password cracking, keyword searching and date filtering, with unlimited reporting)	GB “IN” (Extracted)	\$45
<i>Enhanced</i> EDD Processing – Native Review Deliverable	GB “OUT”	\$95
Technical Time (e.g. assembly and QC of productions, loading of 3 rd -party data, custom reporting) – typically 1 hour per volume or production	Hour	\$150
Project Management (core services included, custom requests billed at Tech Time rate)	Hour	Included

Review & Production Hosting:

Item	Unit	Unit Price
Hosting of Data in Relativity (If Needed)	GB/Month	\$8
Relativity User License (If Needed)	User/Month	\$69
Post-native Review Production – Tiff	Page	\$0.02
OCR, Bates Labeling, Load Files, Metadata Export for Document Productions	Page	\$0.02



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Item	Unit	Unit Price
24x7 Relativity User Support	Hour	Included

Managed Attorney Review Services:

Item	Unit	Unit Price
Contract Attorney Review by U.S. Licensed Attorneys – Salt Lake City, Chicago or Detroit Review Centers	Reviewer/Hour	\$50
Review Management (Estimated 10% of Total Review)	Manager/Hour	\$125

Archiving:

Item	Unit	Unit Price
90 day warm storage	90 Days	Included
Hard Drive Archive (Xact Vault or client return)	Hour	\$150

TERMS OF PAYMENT

Net 30 days from receipt of invoice. Payment of services delivered, or payment for change requests made on this statement of work, is the responsibility of the undersigned Law Firm, regardless of whether Law Firm has received reimbursement from a third party, such as its Client or insurance provider.

A Party's Authorized Signature sent via email approval constitutes legal authorization.

Agreed to:
Law Firm #1
Holland & Hart, LLP

Agreed to:
Law Firm #2
Maslon, LLP

Print Name: JOHN C. MARTIN

Print Name: _____

By: [Signature]
Authorized Signature

By: _____
Authorized Signature

Date: 11/27/19

Date: _____

Agreed to:
XACT DATA DISCOVERY

Print Name: _____

By: _____
Authorized Signature

EXHIBIT 10



XACT DATA DISCOVERY
Because you need to know

Date: _____

Billing Contact Information:

Note: All billing for work performed is to be split equally between the two listed parties below:

1.

Contact: Trisa J. DiPaola

Holland and Hart, LLP

Address: P.O. Box 68 (USPS) / 25 S. Willow St., Suite 200 (UPS, FedEx)

Jackson, Wyoming 83001-0068

Phone: 307-734-4501 Direct

Email: tjdipaola@hollandhart.com

2.

Contact: _____

Maslon, LLP

Address: _____

Phone: _____

Email: _____

EXHIBIT 11

**John C. Martin****Partner****Phone** (202) 654-6915 (DC)

(307) 734-3521 (WY)

JCMartin@hollandhart.com

December 11, 2019

VIA EMAIL**MASLON LLP**

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Re: Relators' December 10, 2019 Letter

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Dear Evan:

Thank you for talking with us on Monday and for your letter yesterday evening. I was surprised to hear that you've moved from your prior position – that having separate groups perform the collection and review functions was sufficient to address what you view as a potential conflict from functions from Xact. To recap the events leading up to this dispute, per the Court's order, we mutually agreed to retain Xact. We explained, at the time, that we planned on using Xact for review of the documents. (In our email exchange, we suggested that the Agency would "obtain and consider Xact's proposal regarding how best to identify and protect privileged documents" and I understood that Relators agreed.)

At the time, Relators did not raise the potential for a conflict of interest that would prevent this contractor from performing this separate function on behalf of MPCA. We have never suggested, nor would we expect, that Relators would pay for this function. We have received estimates from Xact for the cost of this review. Specifically, Xact has said that, in order to meet the Court's deadline, we should anticipate that the Agency will incur expenses in the range of \$80,000-\$120,000.

When we spoke Monday afternoon, I understood you to raise, for the first time, that Xact's identification of privileged documents might pose a conflict. When we discussed that Xact would perform separate functions, (i) collecting data and (ii) reviewing the data for privilege and responsiveness, I understood that having these functions conducted by separate groups was sufficient to respond to your concern for conflict. Since then, we've discussed this concept with Xact and we understand that the groups are separate. We'd planned on formalizing the separation in a memorandum. Having been informed by Xact that they would be unable to complete the review in time for production on the Court's deadline if review was not started Monday December 9, we've also charged Xact with beginning review of these MPCA documents so that we can meet the very short deadlines for this litigation. (We've instructed Xact to employ search terms to which we agreed and Xact can add additional documents to their review if the finalized search terms are more expansive. We remain hopeful that the parties can come to an agreement on other terms.) I think this redounds to the benefit of all the parties.

You've also inquired about our communications with Xact regarding the MPCA document review. Necessarily, we must have conversations with Xact. Xact is reviewing MPCA documents collected from MPCA computers and servers. I expect that neither of us would anticipate something different. I should add that Relators' counsel have had separate conversations with Xact representatives as well. We have not objected to these communications trusting in your good faith and the integrity of the company.

With respect to searches we've asked of Xact, as I explained in the recent telephonic hearing, we asked Xact to run searches based upon proposed search terms. MPCA had Xact run a search of the collected data on December 6, 2019 using Relators' proposed search terms submitted to the Court on November 29, 2019. This was necessary to have an idea as to the extent of possible documents that would need to be reviewed and to determine the number of reviewers that would be needed to complete the review by December 13th. We believe this was necessary and that it provided information that was essential to completing the review under the Court's schedule. If

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Relators wish to request comparable inquiries of Xact at their expense, we obviously would not object.

You have focused attention on a provision in the Xact contract that addresses conflict of interest. This paragraph contains language intended for a setting where Xact is retained by only one of the litigants. It requires, for example, that the retaining law firms “inform Xact . . . of such Proceedings and the parties adverse to Client and Law Firms.” In turn, “if Xact is aware that it already represents an identified adverse party, Xact shall disclose that representation” Here, both the Parties and Xact recognize that the Parties are adverse and this provision plainly doesn’t apply in a setting where the only joint engagement is for collecting information.

Necessarily, what Xact does may have a negative effect on a party. For example, if Xact turns up a document that somehow supports one of Relators’ theories regarding procedural irregularities, then, by your reasoning, Xact will have performed a function that is adverse to the Agency and therefore has developed a conflict of interest with MPCA. We don’t believe that this is unanticipated and we reject the claim that it creates some sort of conflict that would prevent Xact from performing the functions the Court has mandated.

We believe this is the sort of dispute that the Court would expect the Parties to resolve. (Indeed, based on Monday’s conversation, I did not believe this would be a dispute.) But, if you believe your only recourse is to seek the Court’s resolution, while we may disagree, we understand that this is your prerogative. If, however, you’d like to discuss the matter, please contact me.

Regards,

/s/ John C. Martin

John C. Martin
for Holland & Hart LLP

cc: PolyMet Counsel of Record
Adonis Neblett (MPCA)

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